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Security Council

Fifty-sixth year

Provisional

4336th meeting

Tuesday, 26 June 2001, 3.15 p.m.

New York

President:	Mr. Chowdhury	(Bangladesh)
Members:	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Kassé
	Mauritius	Mr. Neewor
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Ms. Lee
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation between Iraq and Kuwait

Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2001/597).

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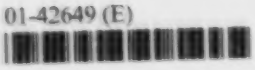

The meeting was called to order at 3.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2000/597)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Austria, Bahrain, Canada, Germany, India, Iraq, Italy, Japan, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, the Netherlands, New Zealand, Saudi Arabia, South Africa, Spain, Sweden, the Syrian Arab Republic, Turkey and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Douri (Iraq) took a seat at the Council table; Mr. Stuart (Australia), Mr. Pfanzelter (Austria), Mr. Buallay (Bahrain), Mr. Heinbecker (Canada), Mr. Kastrup (Germany), Mr. Sharma (India), Mr. Francese (Italy), Mr. Akasaka (Japan), Prince Zeid Ra'ad Zeid Al-Hussein (Jordan), Mr. Abulhasan (Kuwait), Mr. Dorda (Libyan Arab Jamahiriya), Mr. Hasmy (Malaysia), Mr. van den Berg (Netherlands), Mr. MacKay (New Zealand), Mr. Shobokshi (Saudi Arabia), Ms. Ndhlovu (South Africa), Mr. Arias (Spain), Mr. Schori (Sweden), Mr. Mekdad (Syrian Arab Republic), Mr. Pamir (Turkey) and Mr. Al-Ashtal (Yemen) took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 25 June 2001 from the Permanent Representative of Tunisia, which reads as follows:

"I have the honour to request that Ambassador Dr. Hussein Hassouna, Permanent Observer of the League of Arab States to the United Nations, be allowed to participate without the right to vote in accordance with the relevant provisions of the United Nations Charter and rule 39 of the provisional rules of procedure of the Security Council in the Council's discussion of the item presently on its agenda, 'The situation between Iraq and Kuwait'."

This letter will be issued as a document of the Security Council under the symbol S/2001/631. If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Hassouna.

There being no objection, it is so decided.

I invite Mr. Hassouna to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 15 June 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council, document S/2001/597.

I should like to draw the attention of the members of the Council to document S/2001/603, which contains the text of a letter dated 18 June 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): The Russian Federation proposed the convening of today's meeting in this open format, with the participation of all interested States, in order to consider ways of improving the humanitarian situation in Iraq under the devastating sanctions that have been in place for so many years, as well as the question of a comprehensive post-conflict settlement in the Gulf region on the basis of relevant Security Council resolutions.

Resolution 1352 (2001) of 1 June clearly defined the main goal of possible changes in the Iraqi humanitarian programme: facilitating trade and economic ties between Iraq and the rest of the world. Accordingly, we participated in work on various possible ways of improving the humanitarian operation and very seriously considered all the various proposals made, including the draft resolution submitted by the United Kingdom.

I must say frankly that the deeper we get into the details of proposed changes in the sanctions regime, the more our doubts grow as to the feasibility of the concept enshrined in that draft and its political viability vis-à-vis the prospects for a lasting settlement in Iraq.

One basic element is that the system proposed in the draft resolution leads us away from the task of full implementation of Security Council resolutions on Iraq and basically requires the freezing of the current situation, in which sanctions are preserved with unacceptable consequences for the people and economy of Iraq and no progress is made on disarmament. Specifically, the key elements of the United Kingdom draft appear to lead not to easing the very harsh economic situation of Iraq, but rather to tightening the sanctions.

Many questions are raised by the authors' proposal of a "goods review list" for deliveries to Iraq. Until recently, the Security Council proceeded on the premise that, in order to ensure that Iraq did not resume its programme of weapons of mass destruction, it was quite sufficient to have the so-called "1051 list", including in the post-sanctions period. That list is already in effect and a procedure in place for its regular review. Such a review has just been carried out by the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the revised list requires further study. In any event, we believe that the list will continue to be applied on the basis of resolution 1051 (1996).

It is now being said that the authors of the new concept regard the "1051 list" as inadequate. They want to include in their "goods review list" goods from the so-called Wassenaar Arrangements. Those Arrangements, however, which bring together a limited group of countries on a voluntary basis, are already being applied in practice, *inter alia*, in respect of Iraq. Giving those Arrangements a "sanctions status" under Chapter VII of the Charter of the United Nations would have very serious legal and political consequences.

Above and beyond the Wassenaar Arrangements, a third part is being proposed for this "goods review list", in which there would be a list of additional products also subject to monitoring for delivery into Iraq. Included in this third category are goods defined in such a way that it would be possible, via very vague procedures for considering contracts, to block projects that are essential to the recovery of the energy, oil, industrial and other areas of Iraq's economy. An analysis demonstrates that this list of goods would not be broader, but would be rather more prohibitive. Its approval could undermine prospects for the industrial development of Iraq.

The draft resolution contains nothing investment or economic projects — and not only infrastructure projects — which runs contrary to resolution 1352 (2001) in respect of facilitating economic ties with Iraq. There is also total silence concerning the fate of the Memorandum of Understanding between Iraq and the United Nations, on which the humanitarian programme has been based to date. It would therefore appear that this new scheme is to be introduced without Baghdad's consent, and that is utterly unrealistic. Moreover, it is contrary to the decisions of the Council concerning the need to respect the sovereignty and territorial integrity of Iraq.

Overall, the concept that has been put together changes the very essence of the humanitarian programme of the United Nations, politicizes it and makes it and UNMOVIC into an instrument for applying sanctions pressure. Attempts to use the humanitarian operation to resolve tasks unrelated to it would bury all hope for a resumption of ongoing disarmament monitoring in Iraq and the legal lifting of the anti-Iraq sanctions, pursuant to Security Council decisions.

The perpetuation of sanctions can make the situation in the Gulf much worse. Given the conditions of the crisis in the Middle East, this would raise regional tension to a qualitatively new level of danger. Neighbouring States of Iraq and other States of the region already see this new concept as a threat to their new socio-economic and political stability. We are also concerned that, as a result of introducing these so-called "smart" sanctions, serious damage could be done to the legitimate trade and economic interests of many countries, including Russia.

We feel that the adoption of the proposed draft resolution on smart sanctions would be detrimental to averting the humanitarian catastrophe, devastate the Iraqi economy and work against a post-conflict settlement in the Gulf region.

Taking account of all these factors, we cannot agree to this draft resolution, which seems unadoptable. This certainly does not mean that Russia is not prepared to discuss further questions of how the

humanitarian operation functions. However, such a discussion must not be politicized and must be geared towards reaching agreement on measures that would genuinely improve the humanitarian programme in order to undertake tasks that are truly humanitarian.

At the same time, Russia feels that we must delay no longer the resumption of Security Council work on a comprehensive settlement of the Iraqi problem. Everyone knows that this work was interrupted because of the hasty adoption of resolution 1284 (1999), which contained too many gaps and too much ambiguity that made the resolution not implementable in its current form. Since then, we have consistently advocated creating the necessary conditions and mechanisms for implementing the resolution, but some States members of the Security Council did not want that. The deadlock that has arisen as a result made us unable to implement the Secretary-General's initiative concerning a comprehensive dialogue between the United Nations and Iraq on all pending problems.

We regard the status quo as unacceptable, so today we have introduced a specific proposal that contains clear criteria for suspending and then lifting sanctions that are tied to the deployment in Iraq of the ongoing monitoring and verification system on the basis of implementation of existing resolutions of the Security Council. We are convinced that there is simply no alternative to this comprehensive approach if we all want to achieve a lasting settlement around Iraq and in the entire Gulf region that is strictly in accordance with resolutions of the United Nations.

Sir Jeremy Greenstock (United Kingdom): The United Kingdom welcomes this meeting. The Security Council is at an important point in its consideration of this issue. It is right for us to hear the views of other Members of the United Nations before we take decisions.

There are two principles which have guided us and must continue to guide us in the Council in handling Iraq. They are clearly enshrined in resolution 1352 (2001). First, it is our responsibility in the Council to prevent Iraq from posing a threat to its region and, as part of this, to ensure that Iraq is fully and verifiably disarmed of its weapons of mass destruction. Until this is the case, it is the responsibility of the Council to ensure that Iraq cannot rearm and cannot once again pose a threat to its neighbours. The second principle is as important and even more immediate: to alleviate the suffering of the Iraqi people and take whatever steps we can from outside to ensure that their needs are met. To this extent, we agree with the Russian Federation that the status quo is not acceptable.

These two principles are embodied in resolution 1284 (1999), which remains the comprehensive framework for the Council's approach to Iraq. This resolution instituted various steps to relieve the human suffering in Iraq. It also sets out a route forward for Iraq to the suspension and lifting of sanctions if Iraq chooses to cooperate with the United Nations in meeting its disarmament obligations. That route map remains the Council's policy and the only credible way forward; and the implementation of resolution 1284 (1999) is supported by all Council members because it will mean the end of sanctions. There is no good reason to back away from or to alter that framework, nor does the United Kingdom have any wish to do so.

If Iraq decided to cooperate with resolution 1284 (1999), we are all willing to work with them without any further delay. Let us be clear, resolution 1284 (1999) has not been implemented because Iraq has refused to implement it. That cannot be the basis for any kind of renegotiation of its terms. But if Iraq indicates a willingness to move forward, the Council will undoubtedly wish to reciprocate by fleshing out in detail the precise steps that need to be taken. To move while Iraq continues to reject the Council's position will only serve Iraq's wish to divide the Council and to avoid its international obligations. I repeat: the only route to the ending of sanctions lies through the confidence of the Security Council, living up to its responsibilities, that Iraq has disarmed in accordance with the resolutions.

We now have before us a series of proposals, set out by the United Kingdom in our draft resolution, to allow Iraq to import the full range of civilian goods without restriction. Three weeks ago, in resolution 1352 (2001), the Council agreed to spend a month examining and refining those proposals and, at the end of that month, to agree on a new set of arrangements. I emphasize that the aim was not to replace the Council's comprehensive approach in resolution 1284 (1999), but to do two things: to set in place measures to liberalize the flow of goods to Iraq and, at the same time, to examine ways to make sure that military-related items are not exported to Iraq.

These are two goals supported by the whole Council and, I am sure, by the entire United Nations membership. Resolution 1352 (2001) represented an unusual agreement in the Council on these two aims and gave hope to the wider world that we had gathered some momentum and a sense of responsibility. In agreeing on that resolution, all Council members accepted that the measures should be instituted quickly, and that a month was a reasonable target within which to agree on the new proposals in detail.

That month is nearly up. There have been intensive discussions at the expert level covering every aspect of our proposals. Differences remain. It would be naïve to expect agreement on every point, but compromises have been worked out on many issues and there is now no good reason why a decision should not be taken to institute a set of arrangements to fulfil the dual purpose set out in resolution 1352 (2001). My delegation will continue to work as hard as it takes to meet that deadline.

Clearly, others are less optimistic, or less determined. We should examine their reasoning carefully. The Council now has the chance to agree upon and implement changes that will make an immediate and positive difference to the flow of civilian goods to ordinary Iraqis. Iraq is opposing these changes because it wishes to freeze the work of the Council and escape from its obligations. It has calculated that time and international inertia will be on its side. In that respect, the Council is being challenged.

Let me say in all frankness that none of us, on this issue in particular, can allow national economic self-interest to hold up positive measures for the Iraqi people. Having successfully negotiated the unanimous adoption of resolution 1352 (2001), we must collectively ensure that the two principles of that resolution are the principles which guide us now.

The new proposals contained in the British draft resolution will make an important and significant difference to the flow of goods to Iraq. From a situation where no export is allowed unless approved by the Security Council Committee established by resolution 661 (1990), we will move to a situation where every export is allowed except for a very limited range of items which must be reviewed by the 661 Committee on the basis of criteria related to their potential military use. Even for those items, there is no presumption of denial. We believe this change will bring a dramatic improvement in the flow of goods and a dramatic reduction in the level of holds. Even within that limited category of items reviewed by the Committee, we intend to allow the export of a good number if there is proper monitoring.

The current discussion of the Goods Review List, contrary to the Russian Federation's contention, is a search for clarity and therefore for ease of procedure, and not a search for broadening or tightening. We are even now constructively negotiating on the Goods Review List.

We are fully aware that in many cases sensitive items can form a key component of larger civilian projects which must be allowed to go forward if the economic infrastructure of Iraq is to be rebuilt. We want to see the ordinary civilian infrastructure reconstructed in Iraq, and our attitude to individual items reviewed by the Committee will be guided by that philosophy.

At the same time, we all have to continue to exercise our responsibility to ensure that items are not exported to Iraq that, unless closely supervised, will allow Iraq to rebuild its military capability. Accompanying these changes, there should be a slimming down in the bureaucracy facing those who wish to export goods to Iraq or operate projects there. Procedures will be simplified. There will be no reason why Iraq cannot import the civilian goods it needs. The funds are there, and with these proposals Iraq will have the freedom to purchase all necessary civilian items. There is no intention in this draft resolution to harm the economic interests of neighbouring States or others doing legitimate business with Iraq. We expect to see an expansion of civilian trade, which will benefit all. There will be no reason why Iraq cannot import a full range of civilian goods, and Iraq will have no pretext to blame the United Nations for the suffering of the Iraqi people. The new proposals will nail that false charge once and for all.

The capacity to rebuild military potential, against the rulings of the Security Council, is related to the flow of money, as well as to the flow of goods. Do not make the mistake, as some do, of confusing the Iraqi civilian economy with the economic activities of the Iraqi Government. We are all aware that Iraq continues to export oil outside the United Nations system to build up illegal revenue with which it can purchase weapons

and other proscribed items. There is worrying evidence that such items continue to find their way into Iraq. This traffic has to be controlled if the resolutions of the Council are to have their intended effect.

Our draft resolution would ask the Secretary-General to consult and cooperate with the neighbouring States to address these problems. There are also obligations on supplier countries. We are not laying blame, but each one of us must be vigilant to ensure that illegal flows are prevented.

The logic of those who argue that our proposed measures will damage or set aside the policies set out in resolution 1284 (1999) is precisely wrong. The aim of all of us is the ending of sanctions. The period December 1999 to June 2001 has seen no progress towards that objective because Iraq has preferred the continuation of sanctions, whatever the effect on the Iraqi people, to acceptance of the disarmament process set out in resolution 687 (1991) and resolution 1284 (1999). Doing nothing now will not change that. Nor will any proposal to alter the conditions of resolution 1284 (1999) change that. Adoption of our draft resolution will change the situation. There will be an immediate improvement in the lives of ordinary Iraqis, the longest-suffering victims of the situation between Iraq and Kuwait. And the course mapped out by resolution 1284 (1999) is more likely to be seen as the right one if we take steps to refocus the sanctions policy of the Council, as resolution 687 (1991) originally intended it. That is our primary consideration in advocating these proposals: calculate the quickest route, in the light of the realities, to the ending of sanctions.

There are other steps in our draft resolution which will move the present situation forward. Iraq will be allowed to pay its United Nations dues from the escrow account. Aircraft frozen and held in other States will be allowed to return to Iraq. Steps will be taken to begin, on an independent and objective basis, to address the problem of the illegal oil surcharge levied by Iraq on purchasers of Iraqi oil. In other areas, practical work can proceed to implement decisions of the Council. For example, we have agreed, in resolution 1330 (2000), that Iraq should utilize funds from the escrow account for a so-called cash component in the oil sector. We are ready to agree to this proposal, but note with regret that Iraq continues to block the implementation of the cash component elsewhere in the Iraqi economy. This is an insupportable obstruction of a step that has been recommended by every United Nations agency and humanitarian non-governmental organization in the field, a step which these bodies believe would make a considerable difference to improving the situation of ordinary Iraqis. Yet again we question the true priorities of the Iraqi Government in blocking this improvement. Nevertheless, the oil cash component should go forward, on a basis whereby funds cannot be diverted for illegal use.

The United Kingdom has put forward these proposals in good faith within the overall framework of resolution 1284 (1999), in response to calls made by many in the international community to alleviate the plight of the Iraqi people. The principles of the approach were unanimously endorsed by the Security Council through resolution 1352 (2001). We would find it unaccountable for the Council, or any member of the Council, not to move forward on the basis of those principles. The risk is that if we do not act now, the Security Council may never be in a position to act. There is therefore every reason for the Council to put into practice now the approach we set out in resolution 1352 (2001).

Mr. Levitte (France) (*spoke in French*): is pleased that a public debate in the Security Council open to all Members of the United Nations is being devoted to the question of Iraq. This is a useful first on an issue that has occupied the attention of the Council for 11 years now.

Maintaining the current status quo is not satisfactory. It is not satisfactory in terms of the authority and credibility of the Council. Its decisions have remained a dead letter. The Council has been unable to impose a solution.

It is not satisfactory for the Iraqi population either. Iraq is experiencing a humanitarian crisis of unparalleled scope. Just to take one figure, the infant mortality rate has more than doubled since 1990. The efforts made by the Council through the oil-for-food programme have of course had their merit. However, the extremely bureaucratic nature of the system and the blocking of the functioning of the sanctions Committee have barely made it possible to do anything other than ensure the survival of the Iraqi people and keep them indefinitely dependent on assistance. Iraq's interruption of its oil sales a month ago can only further aggravate the situation.

Finally, it is not satisfactory for regional security. For two and a half years the Security Council has no longer had any inspectors in the field to verify that Iraq has not resumed its programmes of weapons of mass destruction. The magnitude of smuggling, a practice representing several billion dollars, makes the validity of the escrow account illusory.

It is essential that we find a way out of this impasse. Despite its divisions, the Security Council is aware of this. It endeavoured to do this by adopting resolution 1284 (1999), which we think was an improvement upon resolution 687 (1991). In exchange for the return of inspectors to Iraq and the establishment of a long-term monitoring system, Baghdad could have speedily obtained the suspension, and then the lifting, of sanctions. The advantage of this proposal was to reconcile humanitarian needs with security concerns and to provide a long-term solution. Iraq could expect to rejoin the community of nations. This course has not yet been taken because of Iraq's rejection of resolution 1284 (1999). Yet this course remains available. resolution 687 (1991) and its complement, resolution 1284 (1999), remain the foundation for the Council's work. We intend to continue advocating the return of United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and International Atomic Energy Agency monitors to Iraq. We welcome the preparatory work done to this end by Mr. Blix, and we call upon Iraq to cooperate with the United Nations and UNMOVIC.

We appreciate the efforts of the Secretary-General in the context of the dialogue he began with Iraq after the Islamic Summit Conference in Doha last November. We encourage the Secretary-General to continue his dialogue with Iraq in order to better ensure that Iraq will understand Council action, to remind it that resolutions 687 (1991) and 1284 (1999) are the Council's reference points and to promote the resumption of Iraqi oil sales and the implementation of the oil-for-food programme.

We would like Iraq to respond to that willingness to engage in dialogue with constructive gestures, so as to restore trust: the return of Kuwaiti missing persons and Kuwaiti property; adherence by Iraq to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; and permitting travel by the Chairman of the sanctions Committee. An opening by Iraq would enable the Security Council to begin working to clarify certain elements of resolution 1284 (1999).

Difficulties in the implementation of resolutions 687 (1991) and 1284 (1999) should not prevent the Security Council from acting. If Council action is unified and takes into account humanitarian and regional security needs it will be useful. With that in mind, we welcomed the United States proposals for improving the functioning of the oil-for-food programme.

For more than three years we have been proposing significant reform of the oil-for-food machinery. We cannot fail to support a transfer of jurisdiction from the sanctions Committee to the Secretariat. That ought to result in a very substantial reduction in the number of contracts that are on hold. That is indispensable. Even after a decrease in holds amounting to $600 million, $3.2 billion in contracts remain on hold in the Committee established by resolution 661 (1990). To that we must add $1.1 billion in contracts still being studied by the Secretariat. The length of the list of goods subject to sanctions Committee control and the way in which this provision is being applied by the Committee and by the Secretariat are key elements in ensuring the success of this enterprise.

Easing restrictions on trade with Iraq cannot by itself enable the economy to recover sufficiently to respond to the humanitarian crisis. That recovery requires the return of normal economic conditions. That is why France has proposed that foreign investment be authorized, as proposed by the panel chaired two years ago by Ambassador Celso Amorim. That is why we propose that services be approved without delay. That is why we request that local expenditures for the petroleum industry — the cash component — be accepted, as the Secretary-General proposes in his 6 June report, and as had already been agreed in resolution 1284 (1999).

To be successful, Security Council action must be understood and supported by the international community, especially the main interested parties: Iraq's neighbours. Is it not in the name of regional security — the situation of Iraq's neighbours — that the Council is exercising its authority? It therefore seems important that the Council, through the Secretary-General, should work in close cooperation and coordination with those States. Everyone

acknowledges that what should be done is to set up machinery for cooperation with the countries concerned, rather than imposing Chapter VII obligations on them. Decisions on possible trade arrangements between Iraq and its neighbours and on possible improvements in border controls should be taken with the agreement of those neighbours. Such arrangements must not jeopardize the existing arrangement between Iraq and Jordan, which has been accepted by the sanctions Committee. Indeed, to our mind, that arrangement could serve as a model.

Finally, a resolution must provide solutions to thorny problems. There must be a liberalization of air traffic without pointless constraints and without creating problems for Iraq's neighbours. Iraqi arrears to all organizations must be subject to payment. Rates of assessment on Iraqi oil sales for the benefit of the Compensation Commission should be the focus of a machinery agreed upon by the Council.

We are ready to work on all these matters with a view to agreeing on an ambitious text that will truly address the defined objective of easing civilian sanctions. We are looking for a way for the Security Council to regain unity on the issue of Iraq. Without consensus, any resolution, even if it is adopted, could be incompletely or poorly implemented. We must build a system that will enjoy the support of the international community, first and foremost Iraq's neighbours. That is the thrust of France's written contribution to the present discussion. We want speedy agreement on that basis within the timeframe set out in resolution 1352 (2001).

Mr. Cunningham (United States of America): Ten years after the Iraqi regime invaded, occupied and brutalized Kuwait, it is useful for the Council to remind itself of how we got to where we are now and of what we can do together to change an unsatisfactory situation. On 2 August 1990 and for the six months it took for the United Nations to remove invading Iraqi troops, the Iraq regime attempted the unthinkable: to extinguish the existence of another United Nations Member State.

Once the international community defeated that attempt, the Security Council focused on ensuring that the regime which carried out the invasion and which remains unrepentant to this day would not have the ability to wage war on its neighbours or to threaten them with weapons of mass destruction ever again. To this point we have been successful. The Security Council has assumed a special role in maintaining security in the Gulf region; Iraq continues to pose a clear threat to that security; and it must be the Council's purpose to ensure that that threat remains contained.

But it is clear that the Iraqi people have borne the burden of the regime's policies. The oil-for-food programme has grown into the largest humanitarian programme ever run by the international community. It is a reflection of the regime's lack of cooperation and of its disregard for its own population that, despite the billions of dollars that have gone into Iraq under the programme, Iraq's development levels have not met the potential of the oil-for-food process. It is equally a measure of the programme's success that Iraq's development, by some standards, actually exceeds that of some of its regional neighbours.

During these past six years, the nature of the oil-for-food programme has changed, even though the name has not. But a better name today would be "oil for development", because such a term would more accurately reflect the fact that even today the Iraqi regime could redevelop the country using the oil-for-food programme, if it chose to do so. Instead, Iraq is using money and oil as a weapon against the international community. Iraq has not sold oil since the adoption of resolution 1352 (2001); that has cost the humanitarian programme more than half a billion dollars, on top of the several billion dollars that Iraq lost by shutting off oil some months ago.

Iraq has made much of the fact that its financial liquidity will allow it to defy the international community for several months. It has been clear for some time that we, the international community, care more for the Iraqi people than the regime does. As a result, Baghdad is making clear that despite all its protests it actually prefers the status quo to our proposal to change the oil-for-food programme so as to allow the Iraqi people the broadest possible contact with the rest of the world, especially through civilian commercial trade, and to significantly improve the humanitarian situation in Iraq.

My Government is accustomed by now to Iraq's cynicism towards its own people and to its bluster and threatening policies. We find it harder to understand, however, why others would join in playing that game when the status quo is clearly not satisfactory.

Let us be clear about what we are trying to accomplish with the United Kingdom draft resolution. Far from "freezing the present situation", if we agree to something like it in its current form, we will have done nothing less than lift the sanctions on regular civilian commercial trade with the Iraqi people. It is the height of irony that, at the very moment my Government and others are prepared to undertake this radical shift of direction, we find ourselves under attack by others who have long pressed for change to the system. These States, like the Government of Iraq, seek to perpetuate the status quo instead of looking ahead.

We, on the other hand, want to change the system now so as to allow purchases of the civilian goods needed to develop Iraq's economy. Under the current system, to which we will revert if the new system cannot be brought into being, all exports to Iraq are forbidden unless specifically permitted by Security Council resolution or a specific decision of the sanctions Committee. Under the proposed system, everything is permitted unless it is contained on a list of military or dual-use goods, in which case it will be reviewed, not denied.

Iraq will be able to acquire everything it needs to improve the lives of its people and to provide for the country's development. The Iraqi regime will be prevented only from acquiring the few items critical to increasing its ability to threaten international peace and security. Almost every item that Iraq could need or want for its civilian development will not be subject to review by the sanctions Committee. Goods could flow rapidly to where they are needed most under a simplified procedure. Even items subject to control would go to Iraq once there is confidence that they would not be used to rebuild Iraq's weapons of mass destruction or improve its military capabilities.

Some continue to confuse the proposed review list with a denial list, so let me address this once again, because it is at the heart of the proposal. The items on the goods review list now under negotiation will be subject to review by the sanctions Committee. If it is clear that the goods will only be used for civilian purposes, those goods will be approved for export. This is a historically significant change in the way the United Nations does business with Iraq, and it is directly responsive to concerns raised in this Chamber repeatedly in the past, and contrary to assertions about "vague procedures", we are in fact negotiating agreed procedures that will provide the desired clarity, at least to almost all of the members of the Security Council.

We share concern that Iraq's neighbours might be damaged economically if Iraq responds to the changed system by ending trade arrangements with them. But there is no way to be certain about anything the Baghdad regime might do, and Iraq has its own interests in these trade arrangements. But it has, however, resorted to threats. Importantly, the current draft resolution asks nothing of the States neighbouring Iraq, except to continue consultations with the Secretary-General. Neither we, nor, I am sure, any other member of the Council, would seek to impose any particular set of rules on these countries against their will and without their cooperation. Instead, we suggest that we would use the next six months at least to explore what arrangements might be beneficial in assuring the promotion of legitimate trade by which the Iraq regime does not acquire unauthorized items or illicit cash.

There are a number of other issues being considered as well in this draft resolution. These include international civil aviation and different forms of economic interaction that would open prospects for the Iraqi people. A number of these have been under discussion for some time in this Council, and if we were able to agree on this package, it would be an important step forward in that regard as well.

Some have suggested this new approach to be an abandonment of resolution 1284 (1999) and a move away from implementing the other applicable Security Council resolutions regarding Iraq. That assertion is fundamentally misleading. The introduction of this new approach to Iraq is in fact a bridge between the current situation and the existing framework of Security Council resolutions. The Council will still need to be certain that the region no longer faces a threat from Iraqi weapons of mass destruction. Instead of tearing up the Council's longstanding approach, this proposal ensures its survival, expands vastly the range of goods available to the civilian population and promotes future implementation by showing the Government of Iraq that it has no alternative to cooperation with the United Nations. Perhaps that is why, indeed, the Government of Iraq prefers the status quo.

The United States of America urges all members of the Council who want something better for the Iraqi people to join us in taking the next step toward the

creation of a better – not perfect – but better system than the one that now exists. The draft resolution now being considered by the members of the Council, which moves far beyond the status quo, is that next step.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation wishes to thank the Russian delegation for its initiative in calling for a public meeting of the Security Council to consider all aspects of the Iraq question. We also appreciate your timely scheduling of this meeting.

The Iraq question is one of the important international questions that has been under consideration in the Council in recent years. Before the Council makes its decision on the Iraq question, holding a public meeting of the Council to hear the views of the general membership of the United Nations will help to ensure that the Council's decision will fully reflect the legitimate concerns of the Member States. This is also a positive step in the reform of the Council's working methods.

The Chinese Government has always advocated a comprehensive resolution of the Iraq question on the basis of relevant Council resolutions. The current stalemate in the Iraq situation is not in the interest of peace and security in the Gulf region. It does a disservice to the authority of the Security Council and will not be conducive to achieving the overall easing of the humanitarian situation in Iraq. In order to break this stalemate as soon as possible, we favour a comprehensive approach that takes into account all aspects of the Iraq question and the search for a way out of the impasse on the basis of resolution 1284 (1999).

This afternoon we received a draft resolution submitted by the Russian delegation, which undoubtedly is a useful proposal aimed at breaking out of the present deadlock in the Iraq situation and bringing about an early, comprehensive resolution of the Iraq question. We will carefully study the Russian proposal.

On 1 June, the Security Council unanimously adopted resolution 1352 (2001) on the Iraq question. In accordance with this resolution, the Security Council will consider new arrangements on the sale and supply of goods and commodities to Iraq. It is to take a decision by 3 July.

Some Council members have already put forward draft resolutions on the new arrangements. We believe that the Security Council should seriously consider these drafts in the context of a comprehensive resolution of the Iraq issue. The Chinese delegation has actively participated in the consultations on draft resolutions regarding the new arrangements and the Goods Review List in a constructive and pragmatic manner. We have tabled the Chinese Government's position paper and amendments.

We hope that the discussions in the Council will be able to create conditions for breaking the stalemate on the issue of Iraq, so that this issue — which has been before the Council for 11 years — will not be a perennial item on its agenda. Judging from the weeks of discussion — whether they have been inside or outside the Council — there are still quite a number of serious differences regarding the new arrangements. I wish to make a few comments on the comprehensive settlement of the issue of Iraq in the context of these discussions.

First, resolution 1352 (2001) points out that the new arrangements are aimed at improving the humanitarian situation in Iraq and at greatly increasing the flow of civilian goods into Iraq. The 11-year-old sanctions have brought dire suffering to the Iraqi people. In particular they have penalized large numbers of innocent women and children. The international community is vigorously called upon to effectively improve the humanitarian situation in Iraq. If the Security Council turns a blind eye to or does not do enough to improve the humanitarian situation in Iraq, it will not be justly addressing the great expectations of the general membership of the United Nations.

The Security Council's relevant resolutions implementing sanctions against Iraq are aimed at resolving the issues regarding Iraq's disarmament, so that Iraq's weapons of mass destruction will be destroyed and Iraq will no longer have the ability to produce such weapons in the future. Iraq's normal, civilian interactions with other countries — for example, trade and investment — should not have been subjected to sanctions. The oil-for-food programme, which started in 1996, has played a positive role in easing the humanitarian situation in Iraq. However, years of experience have shown that large numbers of contracts for the export of civilian goods to Iraq have been put on hold. It has also been impossible for the Iraqi people to conduct normal economic activities.

Therefore the Chinese Government is of the view that the new arrangements must take a new approach to these matters.

During the discussions the Chinese side has emphasized that the Council should draw up the Goods Review List on the basis of a reduced list based on resolution 1051 (1996), so that — with the exception of items on the final approved list — Iraq will be able to freely import any civilian goods that it needs. The financial controls and restrictions against Iraq should be relaxed, and Iraq should be allowed to use the funds in the escrow accounts to pay its contribution to the United Nations, as well as to contribute to other international organizations. Foreign companies should be allowed to invest in Iraq, and countries should be allowed to freely sign service contracts with Iraq. Civil-aviation flights to and from Iraq should be allowed to resume.

We believe that a fundamental amelioration of the humanitarian situation in Iraq is an important and indispensable step towards breaking the present deadlock and towards a comprehensive resolution of the Iraq issue.

Secondly, resolution 1352 (2001) also points out that the new arrangements will improve the control of the sale and supply of proscribed or unauthorized items. This will mean that the necessary sanctions against Iraq will continue. The Chinese Government has always believed that Iraq should strictly implement the relevant Council resolutions and resolve the outstanding disarmament issues.

The new arrangements must not serve to perpetuate the sanctions, but should be aimed at finding a way out of the present deadlock on the Iraq issue, so that this issue will be resolved in a comprehensive fashion as soon as possible. We hope that Iraq will resume its cooperation with the United Nations, consent soon to the return of the United Nations Monitoring, Verification and Inspection Commission to Iraq and resolve the remaining disarmament issues.

The Chinese Government has always stressed that in order to make progress on the disarmament issues the ambiguities in resolution 1284 (1999) have to be clarified. In particular, in order to motivate Iraq to resume its cooperation with the United Nations, there is a need to clearly define the criteria for terminating the sanctions against Iraq. This is another important and indispensable step towards breaking the deadlock and achieving a comprehensive solution to the Iraq issue.

At the same time we also believe that Iraq's sovereignty, territorial integrity and independence should be respected. The countries concerned should demonstrate the required good will and sincerity by putting an early end to bombings of Iraq and by doing away with the no-fly zone, thus creating conditions for an early resolution of the Iraq issue.

Thirdly, the tabling of the draft resolution on new arrangements has caused serious concern among Iraq's neighbours. China is deeply aware of the losses suffered by Iraq's neighbours as a result of the sanctions against Iraq. No new arrangement should have further negative impact on the political, economic and social life of Iraq's neighbours. It is our belief that the Council's approach in this area should be based on an objective assessment of the facts, pay close attention to the views of Iraq's neighbours and seek their understanding and cooperation. We cannot continence any harm to the legitimate interests and rights of Iraq's neighbours as a result of the new arrangements.

In addition, the issue of missing Kuwaitis and the loss of property should be properly resolved at an early date. This issue has long been a source of great suffering for the Kuwaiti people and has remained a priority concern of the countries of the Gulf. In accordance with the relevant provisions of international law, Iraq is obliged to cooperate by identifying and returning to Kuwait the missing Kuwaitis and Kuwaiti property. We believe that the timely and proper resolution of this humanitarian issue will contribute to an early normalization of inter-State relations in the Gulf, as well as to an early comprehensive resolution of the Iraq issue.

The President: I should like to inform the Council that I have received a letter from the representative of Thailand in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jayanama (Thailand) took the seat reserved for him at the side of the Council Chamber.

Mr. Mejdoub (Tunisia) (*spoke in French*): Mr. President, we would like to thank you and Ambassador Sergey Lavrov of the Russian Federation for having suggested this public debate, which has provided the Security Council with an opportunity to assess the progress made towards achieving its goals in the Gulf region and the Middle East, and to visualize clearly the next step. My delegation would like to make its contribution to the debate with the following thoughts.

I turn first to the general guidelines for the Security Council. The Council must take a comprehensive approach to the question of Iraq. As we know, there are many varied aspects to this question, but they are not unrelated. Indeed, they have a potential impact on one another, whether it be disarmament, the humanitarian situation in Iraq, or other humanitarian issues such as Kuwaiti nationals and nationals of other countries, or Kuwaiti property. The status of those issues, and the continuing quest to attain the objectives that have been set in those areas, must be viewed in relation to the achievement of the Council's goals in the region — that is, security and stability for all.

Secondly, I turn to the humanitarian situation in Iraq. Because of the many different sanctions imposed on the country — indeed, the most extensive and the harshest ever imposed by the United Nations on a country — Iraq's economy is devastated, its society is crumbling, and the humanitarian situation of the Iraqi people is on the brink of utter collapse and a source of serious concern, according to international humanitarian organizations.

Last week, the London *Economist* wrote that this country of 22 million people, with its great civilization, has been reduced to the level of a Stone Age society. Despite its positive contribution, the oil-for-food programme — a temporary and limited measure — cannot stand in for a genuine recovery of the Iraqi economy, which is the only way of providing an appropriate response to the urgent and immense needs of an entire population.

But how can one possibly even think of economic recovery in the country without direct foreign investment, particularly in the key oil sector, without a cash component for that same sector, without service activities, without any real lifting of the restrictions on air transport, without financial resources — enough for Iraq to pay its arrears to the various international organizations — and the list goes on.

The Security Council should accept and approve such steps, because otherwise, the humanitarian tragedy of the Iraqi people, which has been playing out for so many years now, will simply continue to be a blot on our conscience. Tunisia will continue to work daily in the Security Council, as it has consistently done, with a view to improving, before it is too late, the situation of the Iraqi people, who are in such distress.

Thirdly, I turn to the question of implementation of Security Council resolutions. The Council's resolutions on Iraq provide a legal framework and define Iraq's obligations, in particular in the area of disarmament. They also reflect the Council's commitment to modifying the sanctions regime on Iraq — in other words, to easing the sanctions and lifting them completely, once and for all, depending on Iraq's cooperation in discharging its obligations.

Those resolutions must be implemented in good faith by all parties. The principle of the sovereignty and territorial integrity of all States — one of the cardinal principles of the Charter, which can be found throughout the Council's resolutions on Iraq — must be respected by all, including members of the Council, as the Council's resolutions are the collective expression of its will. Indeed, legality is indivisible, as is the law. What is at stake is the credibility and effectiveness of the work of this organ, which has the great responsibility for the maintenance of international peace and security. In this connection, I would mention that the question of no-fly zones should be reviewed.

Moreover, and in order to facilitate implementation of those resolutions, every effort should be made to avoid ambiguity, which, far from being constructive, only complicates their implementation on the ground. The Council must therefore consider the possibility of making the necessary clarifications to certain resolutions — such as resolution 1284 (1999) — because, failing that, there is a danger of the resolutions' simply remaining a dead letter. Indeed, if this were the case, a comprehensive solution would not be facilitated, the sufferings of the Iraqi people would not be eased, and the achievement of the Council's objectives would not come any faster.

This also applies to any resolution to be adopted in future, and it is even more true in respect of resolutions that would innovate and introduce substantial changes in the existing regime.

As for Iraq itself, it has been cooperating for several years with the United Nations and the Disarmament Commission. This cooperation, which must be duly noted and recognized, must continue with a view to resolving the remaining pending problems, because its contribution is indispensable. It must be encouraged, through incentives and through the real and tangible prospect of finally seeing light at the end of the tunnel — in other words, seeing the sanctions lifted, so that it can resume its seat in the community of nations.

Fourthly, I turn to the question of post-conflict settlement for the region. For 11 years now, Iraq has been under a very broad embargo. The situation is painful, both morally and in humanitarian terms. Geopolitically, it is a factor of instability in the region. Obviously, this does not serve the objectives of the Council. That is why we believe that the question of Iraq should not continue to be viewed and dealt with only from the standpoint of sanctions and coercion. Political and diplomatic paths do have their virtues, and they should inspire a fresh approach to this question by the Council, with a view to hastening the advent of a comprehensive solution that would facilitate a final settlement of pending issues, such as Kuwaiti missing persons and Kuwaiti property, and would ensure for all countries of the region — I stress, all countries of the region — conditions of security, stability and peaceful coexistence — in a word, peace. On the basis of that peace, the Governments and peoples concerned would build good neighbourly relations and mutually beneficial cooperation in rediscovered trust.

In order to get the Iraqi issue out of the current deadlock, and finally to sketch out a comprehensive solution, which is what we all would advocate, negotiation is the only right road. Since joining the Security Council, Tunisia has always called for negotiation. We welcomed the beginning of a dialogue last February in New York between an Iraqi government delegation and Secretary-General Kofi Annan. However, that exercise was not continued as had been envisaged between the two parties. Our Council should encourage resumption as soon as possible. It is high time that some movement or dynamic be started so that we can move ahead; otherwise, this situation runs the risk of continuing to stagnate — but at what price for Iraq, for its people and for the region? It is a region in upheaval because of the situation in the occupied Arab territories. It is a region where public opinion is bitter and frustrated, impatiently waiting for the winds of peace and reconciliation to blow through.

It is our hope that the Security Council will be inspired by this overall approach in its future actions. This is the approach that we would advocate at a time when the Council is actively seized of a draft to review the sanctions regime.

Mr. Kolby (Norway): Norway attaches the utmost importance to a prompt and lasting settlement of this issue. At the same time, we recall the background and purpose of sanctions against Iraq, which are clearly linked to preventing Iraq from yet again constituting a threat to peace and security in the region. We are committed to the premises for ending these measures. A lasting settlement can happen, and will happen, only on the basis of full Iraqi cooperation with the international community in conformity with the relevant resolutions of the Security Council, including its resolution 1284 (1999).

The basic requirements of cooperation with the international community are simple. They are shared by all members of the Council. They are reasonable, seen against the background of earlier records of compliance by the Iraqi authorities.

The essential message from the international community is, therefore, that the key to unlocking the door of sanctions is through full cooperation. Iraq holds the key. On our part, we have been eager to see that key being properly turned in order to lift the sanctions.

Weapons inspectors must be given entry to Iraq, and Iraq must demonstrate its willingness to cooperate fully with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC). We have full confidence in the Commission's Chairman, Mr. Hans Blix, and his team. In the field of weapons of mass destruction, particularly after Iraq has demonstrated use of such weapons, the international community could not issue a clean bill of health without reasonable guarantees. The international community has been demanding nothing more, and nothing less.

Moreover, we regretfully have to revert to the issue of missing persons and stolen property. We are deeply concerned by the plight of the missing Kuwaiti and third-country nationals, as well as their families. It is disturbing that there is no progress on this matter. We urge Iraq to ensure the expeditious repatriation or the return of all Kuwaiti and third-county nationals or their remains. Iraqi statements attacking the integrity of the high-level Coordinator, Ambassador Vorontsov, must be clearly rejected. We fail to understand why the required transparency with regard to missing persons and stolen property cannot be achieved through cooperation with the United Nations.

Paramount among Norwegian concerns is the humanitarian situation of the Iraqi people. We remain dismayed by the dire living conditions of various segments of the civilian population. It would be too simple to attempt to identify one single reason for these difficult living conditions and health problems. There are various reasons for this situation. Nevertheless, we all have solid evidence not only on the usefulness but also of the necessity of the humanitarian programme in Iraq pursuant to resolution 986 (1995). Therefore, it is a matter of particular concern that $2.2 billion of the funds destined to meet these humanitarian objectives remain unused in the United Nations escrow account.

It would be naïve to claim that full utilization of the oil-for-food programme would by itself solve all the outstanding issues related to the development of the social and economic infrastructure in Iraq, and we are not doing so. However, the Iraqi authorities bear the main responsibility for utilizing all means put at their disposal by the United Nations to meet urgent needs. Moreover, they must ensure budgetary priorities and take other appropriate measures to accommodate these needs.

Norway attaches great importance to a humanitarian cash component under the humanitarian programme in order to allow for the purchase of locally produced goods and thus stimulate development of local resources. Needless to say, our primary wish remains, however, full Iraqi cooperation with the United Nations, leading to an end to sanctions, and thereby allowing for a normalization of the economy. Security Council resolution 1284 (1999) remains the overall framework and stipulates the conditions for the lifting of sanctions against Iraq.

Pending the cooperation we all hope for, and which so far has not been forthcoming, we find on our part that it would be irresponsible not to engage in a result-oriented and concrete attempt to revisit how current sanctions work. It is our collective responsibility to make a thorough assessment of current practices and consider how they could be improved.

Drawing on my own experience from chairing the Security Council Committee established by resolution 661 (1990), I think I have all members with me in saying that certain immediate improvements and changes are called for in the handling of imports of goods into Iraq. This has also been highlighted by the Secretary-General in his latest report dated 18 May 2001 (S/2001/505) on the implementation of the oil-for-food programme. We should heed his call to Council members to ensure a more effective implementation of the programme. This can be achieved by doing away, as far as possible, with certain cumbersome and time-consuming procedures involved in today's practice.

We believe that the focus of the Committee should be solely on items which represent a military-related threat or clear dual-use risks. We would welcome significant simplification and streamlining of procedures towards this objective.

Such a step requires the adoption of a list of goods to scrutinize, a so-called goods review list. I believe it is important to note here that such a notion, although new, reflects the fact that, in reality, we have already had a comprehensive control list for 11 years. With the exception of a few items that have been fast-tracked, the overwhelming majority of items destined to Iraq have been undergoing the scrutiny of the sanctions Committee. We all know how cumbersome and, in my view, unnecessary such an approach can be. More importantly, it can lead to unwanted obstacles to the flow of important items. Limiting the scope of control by the sanctions Committee to potentially sensitive items by leaving all other items aside is, in our view, plain common sense.

Moreover, Norway is in favour of the increased involvement of Iraq's neighbouring States in upholding effective United Nations measures and thus of sending a signal of renewed unity from the international community to Iraqi authorities. At the same time, their legitimate concerns need to be taken into full account. In exploring ways to enhance United Nations controls,

we should be guided by a thorough analysis, in close consultation with the States concerned.

By the unanimous adoption of resolution 1352 (2001), the Council is faced with both the challenge and the responsibility of reforming the implementation of the humanitarian programme. This is the main task that we have undertaken to do by 3 July.

In summing up, the basic issue before us today is the following choice between two alternatives: either we seize this opportunity to radically simplify and promote the flow of everyday civilian goods into Iraq, thereby establishing beyond any doubt that the international community is giving paramount importance to humanitarian concerns, while keeping sensitive goods under control; or we preserve the status quo. This appears in reality to be the only other option. A continuation of the current state of affairs would mean carrying on with a cumbersome and time-consuming scrutiny of almost all goods destined for Iraq. Such a course of action would be contrary to the interests of the Iraqi civilian population.

The choice is clear. We must seize the opportunity before us and mark a clear departure from the status quo.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): This debate is taking place as the Security Council is conducting negotiations to make some changes in the oil-for-food programme. As members of the Security Council, we are aware of the responsibility delegated to us by the other Members of the United Nations in order to represent them in this important organ, entrusted with the maintenance of international peace and security. Thus, we feel it appropriate that, on certain occasions such as this, the Security Council take into account the views of other Members of the United Nations before adopting decisions on highly important issues.

The first point we wish to make is that this matter appears on the agenda of the Security Council precisely because of its impact on international peace and security. That is why the Government of Iraq is subject to the sanctions regime.

The oil-for-food programme was adopted by the Security Council as a provisional measure to alleviate the humanitarian needs of the Iraqi people affected by the sanctions regime. The most recent report of the Secretary-General on this topic, in document S/2001/505, concludes that, despite the limitations and difficulties that have restricted the effective implementation of the oil-for-food programme, it has contributed not only to arresting the decline in but also to improving the living conditions of the average Iraqi in many cases.

The report also highlights aspects of the humanitarian programme where improvements could be made to enhance its functioning. These include extending the so-called "green lists" to other sectors in order to include all kinds of articles, except for those referred to in resolution 1051 (1996); simplifying the plan of distribution and making it more flexible; reducing the large number of applications, that remain on hold; and defining with greater precision the elements considered to be of dual use. From these and many other aspects, it is clearly possible to make improvements in the oil-for-food programme, which should have a positive impact on the humanitarian situation of the Iraqi people. However, in order to ensure the proper functioning of the programme, the Government of Iraq must cooperate. As the Secretary-General indicates,

> "It is essential for the Government of Iraq to prioritize its contracting, giving particular attention to the food, health and nutrition sectors". (*S/2001/505, para. 132)*

He also mentions the need to avoid delays in the submission of applications and to expedite the issuance of unopened letters of credit for already approved applications.

During its informal revision of the sectors of contracts on hold, the Office of the Iraq Programme reiterated the need for members of the sanctions Committee that are placing contracts on hold to be more clear as to the criteria for such an assessment and more clearly to identify the elements they consider problematic for export to Iraq. In this vein, the so-called "goods review list" proposed by the United Kingdom will shed further light on the elements to which the international community believes Iraq should not have access if it is to be prevented from rearming.

The least that can be expected from members of the Security Council is that we comply with our own resolutions. Accordingly, and taking into account the agreement in resolution 1352 (2001), the members of the Security Council are currently considering various proposals to enhance the functioning of the oil-for-food programme. Under the coordination of the United Kingdom, meetings of experts have been held concerning the text of a draft resolution and an annex

of proceedings. These consultations of experts have been useful and considerable progress has been made. We hope that all delegations will participate constructively with a view to drafting a consensus text in the coming days. Only in that way will we be complying with our own resolutions.

Sanctions are not an end in themselves. They are simply a tool of the Security Council in the maintenance of international peace and security. We should not forget that, as such, they are an alternative to the use of force. In this case, it is important for the Government of Iraq to have a clear understanding of what the international community expects from it, including guarantees for regional security, before sanctions are lifted. That is why a decision allowing the necessary changes to be made in the oil-for-food programme, acceptable to all members of the Council and in conformity with the spirit of resolution 1352 (2001), would help to create consensus between the Security Council and Iraq, thus leading to the lifting of sanctions.

Mr. Kuchinsky (Ukraine): First of all, my delegation would like to express its profound gratitude and appreciation to you and to the delegation of the Russian Federation for convening this important open meeting of the Security Council in a timely manner.

The humanitarian situation in Iraq remains one of the most critical problems before the Council and continues to be a focus of its attention. Consistent and purposeful efforts undertaken by the Council and the Office of the Iraq Programme to enhance the effectiveness of the humanitarian programme have made it possible to improve the humanitarian situation in Iraq and to alleviate the critical situation in some sectors.

As was correctly noted by the Secretary-General in his report to the Council of 18 May 2001 (S/2001/505):

> "Over the past four years, the humanitarian programme has contributed not only to arresting the decline in but also to improving the living conditions of the average Iraqi."

At the same time, the Secretary-General notes further that "the achievements ... should not lead us into a sense of complacency." In this room we have repeatedly heard the view that the oil-for-food programme will not lead us to a comprehensive solution of the humanitarian crisis in Iraq; decisive measures by the Council are needed based on a completely new approach to the implementation of the humanitarian programme.

Just over a month ago, before the end of another regular phase within the humanitarian programme, the Council began very important work that, in our view, has far-reaching consequences and is aimed at developing new arrangements for its implementation.

In its resolution 1352 (2001) of 1 June, the Council expressed its intention to consider new arrangements that would significantly improve the flow of commodities and products to Iraq and would facilitate civilian trade and economic cooperation with Iraq. Today nobody has any doubts that this work should bring about serious changes in the functioning of the programme, which in turn should lead to drastic changes in the humanitarian situation in the country. It is in the context of these considerations that my country views the tasks facing the Council with regard to formulating a draft resolution that would lay the foundation for the future phases of the humanitarian programme.

It is exactly from this standpoint, from the viewpoint of the humanitarian challenges and security tasks facing the Security Council in Iraq, that we have been considering the draft resolutions submitted by the United Kingdom and France and that we will consider the draft resolution introduced by the Russian Federation.

We sincerely hope that today's discussion will help us address the current situation in the most comprehensive manner and hopefully find ways to solve the existing problems.

To change the status quo and improve the humanitarian situation the Council should reconsider the mechanism currently in place, which regulates the sale or supply of commodities to Iraq. We believe that a rule of the type everything is permitted that is not prohibited is the right approach to the problem, but this requires that the Council ensure that everything banned for supply to Iraq is thoroughly itemized and specified. Only such an approach will allow the Office of the Iraq Programme and the United Nations Monitoring, Verification and Inspection Commission to process Iraqi contracts more efficiently.

Although we are legitimately concerned over the possible uncontrolled use of dual-purpose goods,

especially when an effective international monitoring mechanism in Iraq is not in place, we must, nevertheless, thoroughly weigh all the possible consequences of approving a control list of goods to deal with the contracts put on hold. In his reports the Secretary-General has repeatedly given examples of how seriously the practice of putting contracts on hold affects fulfilment of the tasks within the Iraq Programme.

If we ignore these concerns, the problem will relentlessly plague us by reducing to nothing all our efforts to improve the humanitarian situation in Iraq. We are convinced that this problem should be taken into account in the process of adopting the Goods Review List. The Council should provide for approval of contracts that include goods from this list as key elements without which the contract becomes useless. To this end, it is necessary to put in place United Nations mechanisms to monitor the end use of these goods within the limits determined by the contracts.

We also think it necessary to create appropriate conditions for the economic restoration of the country that can provide a basis for self-reliant development and generate additional resources needed primarily to meet civilian needs of the Iraqi people. In this regard, we support the provisions that would make it possible to attract foreign investments, primarily in the oil sector of the country's economy, and to render various services in the process of implementing programmes and projects. Besides, utilization of the so-called "cash component" in all sectors in Iraq in accordance with the resolution 1330 (2000) will also contribute to drastically changing the humanitarian situation and revitalizing the national economy.

The issue of ensuring Iraq's cooperation in implementing the decisions taken by the Security Council is a separate matter. Our delegation has consistently called upon Iraq to cooperate with the Council as a precondition that could lead to lifting of the sanctions. We still maintain that Iraq's compliance with the provisions of Security Council resolutions, and in particular resolution 1284 (1999) related to the establishment of the international inspection mechanism, could be a concrete step leading to the lifting of sanctions. At the same time we cannot ignore concerns expressed by a number of delegations over the ambiguous character of some provisions of that resolution. It is obvious that Iraq's cooperation could be ensured by making its voice and its concerns heard and taken into account in an impartial manner by the Council.

We think that a continuation of the dialogue between the United Nations Secretary-General and Iraq that began in February 2001 has a special role to play in this regard.

The fact that we discuss the Iraqi issue in this format today, together with non-members of the Council, proves once again that finding a solution to this problem is not an exclusive prerogative of Council members. It generates legitimate concerns among neighbouring States and States that are far from the region. It is of great importance to take into consideration the views and concerns of those countries and to provide for their participation in developing the Council's new approaches. When doing this, we should be guided by the principle that cooperation between those States and Iraq should, by all means, be preserved.

The Council should have a clear understanding of the extent to which the measures it is going to introduce can be implemented. It should also make sure that those measures represent a step forward and not lead to another impasse in dealing with the Iraqi issue. To achieve this, it is important that they be supported by the countries of the region and should help ensure Iraq's cooperation in their implementation.

Mr. Neewoor (Mauritius): We thank you, Mr. President, for holding this important meeting at the request of Ambassador Lavrov of the Russian Federation, whom we also thank.

The Gulf War of 1990 was short-lived and ended swiftly with Iraq withdrawing its invading forces from Kuwait under overwhelming military and political pressure from the international community. Today, ten years later, that war continues to cast its long shadow over peace in the Gulf and in the Middle East region. The outcome of the war was clear from the very beginning. It was a reminder to all of us that the days of achieving territorial ambitions through military ventures are long over, and that the international community will never condone any such pursuit by any nation. The invasion of Kuwait was an act that seriously violated the fundamental principles of the United Nations Charter. The robust reaction by the international community to end the invasion was fully justified.

Unfortunately, the consequences of the war have been terrible for the Iraqi people. Imports into their country take place under the sanctions regime imposed by the United Nations with the aim of controlling Iraq's acquisition of materials that may be used to produce weapons of mass destruction. Its oil exports today are restricted with a view to monitoring its revenues and expenditures for the same purpose. The sanctions also require the inspection of the military production facilities in Iraq to ensure that its capacity to produce nuclear and other weapons of mass destruction is fully terminated.

The implementation of the sanctions require the full cooperation of the Government of Iraq in order to ensure that the purposes of the sanctions are met without unduly hurting the Iraqi people. I must add here that the sanctions regime in itself may not be perfect, but through a process of constructive dialogue with the Security Council, Iraq can have the imperfections addressed.

However, regrettably, implementation of the sanctions has always been a rough ride, mainly because of inadequate dialogue. This is clearly evident from the fact the oil-for-food programme, designed to facilitate availability of essential goods and services, has never been a smooth operation, resulting in continued scarcities of food, medicines and other commodities with devastating effects on the people of Iraq. A terrible humanitarian situation has unfolded in Iraq over the years due to the enforcement of the sanctions regime. At the same time, due to a lack of cooperation on the part of Iraq, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) is prevented from carrying out its inspection work inside Iraq in fulfilment of its mandate under Security Council resolutions.

The present stalemate cannot be allowed to go on. The humanitarian situation has been bad enough for a long time and has assumed such serious proportions that the international community cannot remain indifferent to it any longer. In recent months there has been a growing demand from international public opinion for a relaxation of the sanctions against Iraq. In the Security Council, too, many members, including Mauritius, sensitive to the sufferings of the Iraqi people, have been calling for new initiatives that can engage Iraq in a positive dialogue, so that the present stalemate may be broken.

On his part, the Secretary-General has made every possible effort in this regard. We have welcomed the review process undertaken in Washington, D.C. and London with a view to bringing about a relaxation of the sanctions against Iraq. My delegation has also been contributing to the discussions at the level of experts of the Security Council, aiming to evolve the package that would ease the sanctions against Iraq but, at the same time, not absolve Iraq totally from honouring its responsibility under the relevant Council resolutions. This important work must continue.

We take this opportunity to urge Iraq to respond to the efforts of the international community to ease the sanctions to which it is subjected and to take some concrete steps of its own as a reciprocal action. We believe that as a first step in this direction, Iraq should resume cooperation with UNMOVIC and allow the designated inspectors to do their work inside the country. It is our considered view that Iraq has no need for nuclear and other weapons of mass destruction. Iraq should not find it difficult to reassure the international community that it has no designs in this regard. Last but not least, Iraq must, once and for all, close its painful chapter in relation to Kuwait, by showing full respect for the sovereignty and territorial integrity of the State of Kuwait and returning its historical and cultural heritage, including Kuwaiti archives, as well as repatriating missing Kuwaiti persons.

This meeting is taking place at a crucial juncture of the important question of Iraq at the United Nations. My delegation hopes that our discussion will be dispassionate and focused so that, in the end, the Security Council is helped in the search for a pragmatic way forward on the difficult issue of Iraq.

Mr. Kassé (Mali) (*spoke in French*): The Security Council is meeting today to consider the humanitarian situation in Iraq, following a request by the Russian Federation. My delegation is grateful to you, Mr. President, for finding the ideal format for this important meeting. I would also like to extend my delegation's thanks to the Office of the Iraq Programme, which, with dedication, is doing the bulk of the work on implementing this humanitarian programme. Mali is deeply concerned with the humanitarian situation in Iraq, which deserves careful consideration, as it is receiving today.

Information provided by the Secretary-General through his regular reports to the Council show that

over the last four years the oil-for-food programme has helped to halt further deterioration in the living conditions of average Iraqis and has improved living conditions in some cases, and that the programme's humanitarian nature should be preserved. We concur with the Secretary-General on these conclusions. That is why we believe everything possible should be done to attain all the humanitarian goals of the programme.

Here, we would join the Secretary-General in calling on the Iraqi Government to give priority to meeting the essential needs of its people by increasing imports of food and of health and medical supplies. My delegation regrets that no request for the purchase of such products has been submitted to the sanctions Committee during phase IX of the programme, despite the accumulation of a substantial amount in the escrow account.

The food and health situation in Iraq is particularly unacceptable. The caloric intake among children is very low, and the nutritional goal set in the distribution plans is far from being met.

Given that situation, the Council must take steps to ease the devastating impact of the sanctions on the civilian population. In that connection, my delegation reiterates its great concern at the excessively high number of contracts kept on hold by the Committee established by resolution 661 (1990). We agree with the Secretary-General that this is one of the main obstacles to proper implementation of the humanitarian programme. That is why my delegation welcomes the Secretary-General's recommendation to broaden the green lists in various sectors to include all items except those covered in resolution 1051 (1996). For its part, the sanctions Committee should step up its efforts diligently and speedily to consider applications for contracts so as to reduce significantly the number of holds.

Mali welcomes the new sanctions regime that the Council is discussing because it aims to ease the harmful effects of 11 years of sanctions on the civilian population. It would remove constraints on the import of goods for civilian consumption and basic necessities, on the principle that everything that is not explicitly forbidden would be authorized. The reverse principle now in use is the reason for the excessively high number of contracts kept on hold by the Committee established by resolution 661 (1990).

But in our view there are several shortcomings in the new regime. The first relates to United Nations control of Iraq's resources through the maintenance of the escrow account and to the need for the rehabilitation of the country. Thus, we support injecting cash from oil sales into the local economy — the "cash component".

Here, we support the arrangement proposed by the team of experts established pursuant to paragraph 15 of resolution 1330 (2000). The Iraqi oil industry still faces considerable constraints of all kinds which, if nothing is done, could result in a drop or even a collapse in crude oil production.

Beyond the oil sector, the cash component ought to be extended to other sectors in Iraq, because, as the Secretary-General notes in his report (S/2001/186), in some sectors of the population, because of the sanctions, poverty is widespread; some Iraqis are often forced to barter what they receive through the food basket in order to procure other basic necessities.

To ensure the economic reconstruction of the country, the draft resolution should cover services and investments, which are essential to economic recovery and to rebuilding the country's entire infrastructure. My delegation fully supports the provisions relating to the humanitarian situation, and considers that the text's new provisions, if fully implemented, will help ease the suffering of the Iraqi people. In that connection, we hope that the Iraqi Government will react positively, will cooperate with the United Nations, and will seize the opportunity being provided.

Let me assure the delegation of the Russian Federation that my delegation is willing to study carefully the text of the draft resolution it submitted this afternoon just before this meeting.

I cannot fail to mention another aspect of the humanitarian situation. It is not directly related to today's debate, but it is of importance: it concerns part B of resolution 1284 (1999), which obliges Iraq to facilitate the repatriation of all Kuwaiti and third country nationals or the return of their remains if they are deceased. For the past 11 years, more than 600 families have been living in torment, and they continue to suffer. Moreover, Iraq has failed to account for property seized in Kuwait, including the national archives, which represent the memory of the country. Kuwait thus remains traumatized by the 1990 invasion.

Mali calls on Iraq to cooperate with Mr. Yuli Vorontsov, the High-level Coordinator for Iraq, whose work we support, so that he can carry out his task and so that this sad situation can come to an end. This is a major humanitarian issue on which true consensus exists in the Council. We therefore call on Iraq to meet its international obligations, to continue to participate in the work of the Tripartite Commission and the Technical Subcommittee, and to cooperate fully in order to resolve these problems once and for all.

The President: I should like to inform the Council that I have received a letter from the representative of Qatar, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Khal (Qatar) took the seat reserved for him at the side of the Council Chamber.

Mr. Ryan (Ireland): My delegation is very pleased to have this opportunity to hear, in open format in the Council, the views and concerns of so many delegations on this issue of such importance to us all. The Irish Government has consistently made clear its grave concern at the humanitarian situation in Iraq. When comprehensive economic sanctions were imposed on Iraq by resolution 661 (1990), almost 11 years ago, it was not anticipated that they could possibly last so long.

When they were reaffirmed by resolution 687 (1991), the conditions for their suspension were clearly established. That they have still not been fulfilled 10 years on, even as modified by resolution 1284 (1999), is a matter of utmost regret to the Irish Government. It is regrettable because without their fulfilment, the objective of restoring international peace and security in the region cannot be considered to have been achieved. It is regrettable also because of the effect that the long-term comprehensive economic sanctions have had on the people of Iraq, most of whom had nothing whatever to do with the decisions taken by the Iraqi authorities that led to the imposition of sanctions.

The international community and the Security Council, acting on its behalf in the area of international peace and security, have a responsibility to ensure that the measures they adopt do not prevent the people of the country under sanctions from obtaining the necessities of life. That was acknowledged in resolution 661 (1990) itself, which permitted the supply of medicines, and of foodstuffs in humanitarian circumstances. Because it was realized pragmatically that the disarmament process would require some time, the Council, in resolution 687 (1991), calibrated the sanctions regime established by resolution 661 (1990), lifting the prohibitions on foodstuffs, and establishing a no-objection procedure for essential civilian needs.

That process was continued in resolution 986 (1995), with the establishment of the oil-for-food programme. It was developed further in successive resolutions, including in resolution 1284 (1999), which lifted the cap on the amount of oil that Iraq can sell.

The arrangements envisaged in resolution 1352 (2001), therefore, do not represent anything radically new. The Council has for a considerable time recognized that the longer the sanctions continue, the more the sanctions regime must be adjusted in the interests of the people of Iraq and concentrated more and more on their primary objective.

It is now time to take a further step, and to acknowledge the need, after 11 years of sanctions, to allow the people of Iraq to recover their national economy and life, while maintaining the controls necessary to ensure that the Government of Iraq does not further develop weapons of mass destruction and does not acquire the means of again threatening Iraq's neighbours, pending the fulfilment of its disarmament obligations in line with the Council's resolutions.

My delegation considers the approach now envisaged on the basis of resolution 1352 (2001) to be a promising one that would improve significantly the flow of commodities and products to Iraq, while maintaining the necessary controls.

However, the development and prosperity of a people do not depend solely on the supply of commodities. They also depend on modern infrastructure — roads, railways, telecommunications, medical facilities, water and sanitation systems. We must ensure that nothing in the measures that we adopt, or in the way we apply these measures, prevents the development of Iraq's normal economic infrastructure.

In this context, it is important that the list of goods that would be reserved for review by the Iraq sanctions committee under the envisaged system is as short and as precise as possible. Furthermore, any contract containing an item on the list must be carefully reviewed from the point of view of its overall economic and infrastructural importance.

The new arrangements that the Council envisages are intended, in the words of resolution 1352 (2001), for the facilitation of civilian trade and economic cooperation with Iraq in civilian sectors. Before the Gulf War, Iraq had vigorous international economic relationships, and international service contracts were important in many sectors of Iraq's economic life. Such contracts should again be permitted and appropriate arrangements made for authenticating them and for paying for them from the escrow account.

However, the people of Iraq will never achieve the level of development and prosperity to which the natural wealth of their country entitles them without access to foreign investment. The longer they must do without the resources and expertise that foreign investment can make available, the longer development in real terms will be put off.

None of this is to deny the responsibility of the Iraqi authorities to take the steps clearly open to them to secure their people's future. In particular, they must devote the necessary priority to the education and health sectors. The neglect of these sectors can not be laid fully, or even mainly, at the door of the sanctions regime. Every administration has the primary domestic responsibility for these sectors, and citing the sanctions regime as an excuse is not a posture that impresses the international community.

My delegation has no interest whatever in the perpetuation of sanctions. We are committed at any time to act on the suspension and lifting of sanctions on Iraq to the extent that the necessary conditions are fulfilled. We can perhaps consider these conditions, but the Iraqi authorities also have a big step to take in the direction of the Security Council. When they are prepared to take that step, we will be ready. In the interim, however, we have a duty to the people of Iraq. The strong sense of that duty underpins our approach to the draft resolution under consideration and our approach to the detailed work in the area of reserved goods lists.

Ms. Lee (Singapore): Today's debate is timely. It has been 15 months since the Council last reviewed the developments in the situation between Iraq and Kuwait in this Chamber. The Security Council is also presently engaged in discussions on new arrangements to facilitate the flow of goods and commodities into Iraq and other types of economic cooperation with Iraq in the civilian sectors.

Security Council resolution 661 (1990) was adopted 11 years ago. The impact of its measures has been too broad in Iraq. The innocent people of Iraq have borne the heaviest burdens of Iraq's continued economic isolation, while the Government continues to defy Security Council resolutions and has succeeded in recasting its international image from a belligerent to a victim. Furthermore, after more than a decade, Kuwait continues to be deprived of the sense of closure on this issue that the return of key Kuwaiti property and Kuwaiti nationals and their families seized by Iraq could bring.

The oil-for-food programme, which the Council enacted in 1996 to bring need relief to the Iraqi population without compromising the objectives of resolution 687 (1991), has evolved over the years. It has contributed to improvements in key economic and infrastructure sectors in Iraq, such as the oil industry, electricity, agriculture, water and sanitation, education, housing, transportation and telecommunications. But, rightly or wrongly, the growing perception is that the programme has not done enough to help ordinary Iraqis and has not been effectively implemented. Many have argued that the programme has not made much of a dent in arresting the deterioration of the Iraqi economy and alleviating the humanitarian situation in Iraq.

In the meantime, the unchecked smuggling of Iraqi oil through Iraq's borders and the levying of illegal oil surcharges by the Government of Iraq have generated substantial revenues for the Government outside of the escrow account. This has further conspired to undermine the credibility of the United Nations policy in Iraq. The erosion of support for the programme and United Nations sanctions is also fuelled in part by the existence of sharp differences within the Security Council on this issue. As a result, we have witnessed challenges to the United Nations Iraq policy in the last several years. We agree with Ambassador Lavrov, who pointed out at the beginning of today's debate — as did subsequent speakers — that the status quo is unacceptable.

Against this backdrop, the unanimous adoption of Security Council resolution 1352 (2001) on 1 June 2001 assumes great significance. It signals the intention of the Security Council to adopt and implement new arrangements that would modify the Iraq programme in a significant way. The proposed new arrangements will free the flow of legitimate civilian goods and commodities to Iraq, which will significantly improve the welfare of the Iraqi people. Only exports of items on a limited list of goods that would compromise items expressly prohibited under previous resolutions and other items that could be deployed in ways that are inconsistent with resolution 687 (1991) would be subject to review by the 661 sanctions committee.

The new arrangements will also address in a pragmatic way the problems of cross-border smuggling and oil surcharges, as well as clarify a few long-standing issues arising from the implementation of the sanctions policy, including arrangements that would authorize the return of Iraqi civilian aircraft and remove common restrictions on civilian flights to Iraq. Iraq's neighbouring States have expressed their concern over the implications of the proposed new approach on their economic well-being.

We support efforts to consult them and obtain their cooperation. We are confident that arrangements can be worked out that would adequately take into account their special needs and circumstances within the framework of existing Security Council resolutions. We would like to emphasize the point made by Ambassador Cunningham that the Council does not seek to impose any arrangements on the neighbouring countries of Iraq against their will.

We have a unique opportunity to make substantial improvements in the Iraq humanitarian programme and more generally in the United Nations sanctions policy in Iraq. For this to take place, it is important that the international community, and the Security Council in particular, unite behind such efforts. There remain many outstanding issues in current efforts to develop the new arrangements, including the contents of the goods review list and provisions relating to the arrangement with the neighbouring countries and the scope of economic activities that should be permitted under the new arrangements. Ambassador Levitte has earlier eloquently listed these issues.

We should bear in mind that the Council is embarked on a project to refocus its sanctions policy with respect to Iraq that requires striking a delicate balance between two objectives. They are increasing the effectiveness of sanctions to compel Iraq to comply with all relevant resolutions, on one hand, and ensuring that the measures will not impose unduly onerous burdens on the Iraqi population and the neighbouring countries, on the other.

Complications are therefore quite natural. But if the discussions in the Council are conducted in good faith, and in a genuine spirit of cooperation, we should be able to resolve outstanding differences within the time-frame envisaged in resolution 1352 (2001). That is what is expected of the Council. We may never resolve the different views we have on the cause and effect of the humanitarian situation in Iraq. Neither will we agree completely on how far the Council should go to dismantle aspects of the sanctions policy to achieve the humanitarian objectives without weakening our leverage to get Iraq to comply with all Security Council resolutions, including resolution 667 (1990) and 1284 (1999). But we should see such efforts as part of a process.

This is not the first time that the Council has reviewed the implementation of the Iraq programme. We should recall that since the adoption of resolution 986 (1995), the Council has adopted a series of follow-up resolutions. They are resolutions 1153 (1998), 1284 (1999) and 1302 (2000). These were to expand and improve upon the Iraq programme. The ongoing discussions in the Council on the new arrangements are therefore parts of that evolutionary process to focus the impact of the sanctions, a process that began a few years ago. But for this process to be effective and positive the Council needs to do this incrementally and, more importantly, together, taking into account at the same time the views of the larger international community.

Miss Durrant (Jamaica): Let me join others in thanking you, Mr. President, for convening this open meeting to discuss issues related to the agenda item "The situation between Iraq and Kuwait". We consider this a very important meeting, as this will allow the Security Council to take into account the views of non-members before taking decisions that all the Member States of the United Nations will have an obligation to implement.

When the Council last March held an open debate on the humanitarian situation in Iraq, Council members expressed concern about the plight of the Iraqi people and welcomed the recommendations put forward at that time by the Secretary-General. The Council has since taken a series of actions to improve the oil-for-food programme, in addition to removing all quota restrictions on the quantity of oil authorized under the programme, which resulted from the adoption of resolution 1284 (1999). Having removed the ceiling for oil exports, we also recognized the constraints posed by the lack of capacity inherent in the deteriorating state of the oil industry of Iraq. Jamaica, like other members of the Council, advocated an increase in the amount of money to be made available for oil spare parts and equipment. The Security Council responded favourably by increasing substantially the amount of money made available for this purpose.

There remained, however, a problem with the holds placed on certain items, which made the approval of the increase in expenditure somewhat meaningless. Jamaica joined others in the Council to urge those countries placing those holds to ease them. While many of these holds have been removed, much more needs to be done to increase and improve the flow of goods and services to the oil industry.

Jamaica also supported increased expenditure on areas critical to the socio-economic well-being of the Iraqi people, particularly in the health and education sectors, as well as the removal of all impediments to the import of goods and services earmarked for these sectors. We supported the call for expenditures targeted on Iraq's infrastructure, particularly on water and electricity. We shared the belief that the long-term damage to Iraq's development should be ameliorated.

We must, however, express our regret that the Government of Iraq has not taken full advantage of the funds available in the oil-for-food programme, and that the people of Iraq are not deriving the full benefits from it. At the same time, Jamaica has consistently stated in the Council that sanctions regimes must be focused, effectively targeted and of limited duration. We have also emphasized that sanctions must be designed in such a way that the civilian population is not made to suffer for the intransigence of its leaders. For this reason, Jamaica supports the current efforts being undertaken in the Security Council to modify the sanctions regime so as to alleviate the suffering of the Iraqi people.

Jamaica is cognizant of the concerns expressed by States neighbouring Iraq that the changes being contemplated could cause disruptions to their economies. Their legitimate concerns must be taken into account in our deliberations.

In this review many difficult issues remain to be resolved. For that reason, Jamaica would have been prepared to support a period longer than the month's extension of the oil-for-food programme adopted under resolution 1352 (2001). Nevertheless, we believe that, given the requisite political will, appropriate solutions can be found to reduce significantly the effect of sanctions on the people of Iraq, while preventing Iraq from acquiring the ability to threaten its neighbours and the international community.

In this regard, we call on the Government of Iraq to cooperate fully with the United Nations, to comply with Security Council resolutions and, through verification, to prove to the international community that it no longer possesses the ability to produce weapons of mass destruction. Iraq, we believe, must allow the United Nations Monitoring and Verification Commission (UNMOVIC) to carry out the tasks assigned to it. UNMOVIC stands ready to engage Iraq in the inspection and verification process. It is up to the Government of Iraq to act.

Finally, we call on the Government of Iraq to abide by all relevant Security Council resolutions with respect to Kuwait. We urge Iraq to cooperate with special envoy Vorontsov on the issues of missing Kuwaiti and third-country nationals and to return Kuwaiti cultural property.

As we consider the proposals presented by various members of the Council, my delegation will be guided by the determination to improve the socio-economic conditions of the Iraqi people, while seeking to ensure that Iraq's neighbours and the region can enjoy peace, security and prosperity.

The President: I shall now make a statement in my capacity as the representative of Bangladesh.

The 11-year-long comprehensive sanctions imposed on Iraq have been at the centre of an intense debate in the United Nations and also in the international community. The strict control on Iraq's imports and exports has resulted in a steady decline in the living conditions of the Iraqi people. It is doubtful whether the objective of alleviating the distress of the

people of Iraq through the oil-for-food programme has been fully achieved. It is therefore incumbent on the United Nations, as well as on the world community, to seriously examine the situation in Iraq, taking a comprehensive approach and focusing particularly on the humanitarian condition of the people of Iraq.

In March 2000, during its first presidency of the Council, Bangladesh took the initiative of holding an open debate on Iraq. This finally, after many years, afforded the wider membership of the United Nations an opportunity to focus on the plight of the Iraqi people, as well as on other relevant issues, particularly that of Kuwaiti missing persons. For the second time during a Bangladesh presidency, we believe, a welcome opportunity is being provided to address the situation in Iraq, in particular the devastating effect of the sanctions on the life of the people of Iraq.

The oil-for-food programme was designed to alleviate the humanitarian situation in Iraq. Although Iraq accepted the programme, it has serious reservations on provisions that it thinks impinge on its sovereignty and national independence. Multiple problems relating to the implementation of the programme are perhaps rooted in this perception. It is for this reason that many, including some Council members, have been underscoring the need for a comprehensive approach in addressing this issue.

The most comprehensive framework so far for the United Nations policy on Iraq is provided in Security Council resolution 1284 (1999). Yet it is deficient in not indicating clearly a pathway towards the suspension and final lifting of the sanctions.

We believe that sanctions regimes should clearly define the modalities for the lifting of sanctions. That only makes them credible. As a number of speakers have said, the current deadlock in the situation must not be allowed to continue. Council members must make a serious effort to address these issues — issues that have been giving rise to problems in the implementation of the Council's resolutions.

To make the current exercise on negotiating the draft truly comprehensive, all issues of concern, including Kuwaiti missing persons and the return of Kuwaiti property, should be addressed. In doing so, the Council should be mindful of the fact that Iraq has rejected resolution 1352 (2001), which provides for the broad principles guiding new arrangements. Making the adoption and implementation of these new arrangements contingent on the usual rollover of the oil-for-food programme risks jeopardizing it.

Clearly, the cooperation of the Government of Iraq, as well as the cooperation of the States sharing borders with Iraq, is a key factor in the implementation of these arrangements. Questions of their sovereignty, economic interests, additional burden and so on, enmeshed in legal issues, have critical significance. It is, in our view, vital to closely consult with those States in order to arrive at suitable arrangements.

The Council cannot be oblivious to the regional political context that surrounds the issue. That calls for a vision beyond the sanctions, a vision to salvage future generations in Iraq. If the Council fails to get the political perspective right, no procedural simplification is likely to bring the desired result. Iraq's involvement in the process is crucial. The international community has the obligation to help Iraq as much as Iraq has the obligation to help itself by cooperating with the United Nations.

That is why we welcomed the dialogue between the Secretary-General and the Iraqi delegation in February this year. It would make sense for the Council, in its current endeavour, to encourage that process.

I now resume my functions as President of the Council.

The next speaker inscribed on my list is the representative of Kuwait. I invite him to take a seat at the Council table and to make his statement.

Mr. Abulhasan (Kuwait) *(spoke in Arabic)*: My delegation is pleased to extend its congratulations to you, Sir, on your assumption of the presidency of the Security Council for this month. We know that your experience and wisdom will serve you well in steering the deliberations of the Council successfully. In addition, you represent Bangladesh, a friendly country that maintains close ties with Kuwait. I should like also to pay tribute to your predecessor, the Deputy Permanent Representative of the United States of America, Ambassador James Cunningham, for his remarkable stewardship of the Council during the past month.

I should like also to thank the Russian Federation for its initiative to convene this meeting, and to thank you, Mr. President, along with the other members of the Council, for agreeing to discuss the humanitarian

situation in Iraq and the implementation of the relevant Security Council resolutions. All of these are issues of great importance, and some of them have a direct impact on the security and stability of my country, Kuwait, and of the Arabian Gulf region.

If we are going to start talking about the humanitarian situation in Iraq as being the central theme which has been extensively discussed by the Council for over a month, it is only fair to begin by acknowledging with appreciation the role of the Council and its continuing and tireless efforts to improve the humanitarian situation in Iraq by introducing many improvements to the oil-for-food programme, with a view to enhancing its efficiency in meeting the humanitarian needs of the brotherly people of Iraq.

We in Kuwait fully understand the depth of the Iraqi suffering, simply because of our own bitter experience of anguish during the seven months of our occupation. Therefore, Kuwait has all along expressed sympathy for the suffering of the brotherly people of Iraq. We have translated those feelings of sympathy into every possible form of assistance and aid to individuals in Iraq. Furthermore, we have always called for an end to the suffering of the Iraqi people, pursuant to Security Council resolutions.

The assistance given by Kuwait has not been limited to the aid provided by the Government of Kuwait, but has gone beyond that to include assistance rendered by civilian organizations such as the Kuwaiti Red Crescent Society.

The intensive deliberations undertaken by the Council for over a month in order to mitigate the suffering of the Iraq people attest to the sense of responsibility demonstrated by the Security Council towards the suffering of the Iraqi people. Kuwait therefore welcomes and supports all efforts under way to improve the humanitarian programme with a view to eliminating restrictions on the flow of civilian goods, in order to alleviate the suffering of the Iraqi people.

What is regrettable, however, is that, despite the strict humanitarian nature of the oil-for-food programme, the Iraqi Government, for its part, has not worked to ensure the success of that programme or to ensure benefits from its modalities.

The Secretary-General, in many of his periodic reports on the implementation of that humanitarian programme, highlighted that fact, especially in his most recent report (S/2001/505), in which he underscored the Government of Iraq's laxity in discharging its responsibilities towards its people, as demonstrated in the following areas.

First, the Government of Iraq, at the beginning of phase IX of the oil-for-food programme, deliberately reduced its oil exports, on some occasions suspending them completely, as it tried to commit companies that would buy Iraqi oil to paying illegal surcharges on every barrel of oil purchased.

The Secretary-General, in paragraph 4 of his report, stated that the reduced rate of export of Iraqi oil resulted in a loss by the humanitarian programme of revenues estimated at $2.6 billion. It is clear that this substantial revenue could easily have been collected and used for the purchase of humanitarian goods for the benefit of the Iraqi people.

Secondly, I wish to note the inordinate and unjustifiable delays in the submission of applications for humanitarian supplies. The Secretary-General, in paragraph 15 of the same report, expressed his deep regret that, as at 14 May 2001 — that is to say, three weeks before the end of phase IX — the Office of the Iraq Programme had not received a single application in the sectors of health, education, water and sanitation and oil industry spare parts and equipment. Paragraph 17 of the report adds that $2.82 billion was still available for new contracts.

Clearly, such delays in the submission of applications for these basic humanitarian necessities — especially medicines and health-care supplies, which are badly needed by the Iraqi people — raise the serious question of the Iraqi Government's indifference to the suffering of its civilian population. Indeed, these delays, if anything, confirm some accounts that the Government of Iraq is exploiting the plight of civilians in order to get the sanctions lifted without committing itself fully to the implementation of the relevant Security Council resolutions.

Thirdly, the Government of Iraq has deliberately delayed, and prevented the granting of entry visas to international personnel working to implement the humanitarian programme, especially in the three northern governorates, with a view to impeding the efforts of United Nations agencies and to stalling the vital projects undertaken by those agencies in the areas of infrastructure development and mine clearance.

In paragraph 134 of the report, the Secretary-General expresses his deep concern over the current visa situation and the negative impact that the interruption in essential activities is having on the humanitarian situation in the three northern governorates. The Secretary-General reiterated his call to the Government of Iraq to issue the required visas expeditiously, in conformity with the relevant provisions of the Memorandum of Understanding.

It is clear that the obstacles placed by the Government of Iraq in the way of the implementation of the humanitarian programme in the northern governorates are aimed only at preventing any improvement in the humanitarian situation in those areas. Indeed, an improvement there would embarrass the Iraqi Government, if compared with the humanitarian situation in the central and southern governorates, which are under its control.

Fourthly, aside from the inordinate delays in submissions of applications by the Government of Iraq, there are unopened letters of credit in the amount of $1.151 billion, as indicated in paragraph 133 of the report of the Secretary-General. The Secretary-General recommended that the Iraqi Government take all necessary measures to expedite the processing of the letters of credit.

Fifthly, the Government of Iraq has, for political reasons, refused to implement Security Council resolution 1352 (2001), which was recently adopted unanimously and which extends phase IX of the oil-for-food programme for a period of 30 days. Without a doubt, this refusal will result in the loss of assured revenues estimated at more than $1 billion at current international oil market prices.

Despite all of the obstacles and difficulties that are impeding the implementation of the humanitarian programme, one cannot ignore the substantial achievements registered by the United Nations since the inception of the programme in December 1996. The value of the humanitarian supplies received by Iraq exceeds $11.1 billion, and there are humanitarian supplies in the pipeline estimated at $10.36 billion, which have been approved and are due to arrive in Iraq.

The Secretary-General, in paragraph 123 of the same report, stated that the programme has contributed not only to arresting the decline in, but also to improving, the living conditions of the average Iraqi. This would have been difficult to achieve without the sincere and genuine efforts made by the Office of the Iraq Programme and the specialized international agencies operating in Iraq. Indeed, the efforts of all international personnel who are implementing this unprecedented programme deserve our applause and appreciation.

It is indeed regrettable that, despite the fact that more than 10 years have elapsed since the Iraqi aggression against the State of Kuwait, the Security Council remains seized of the consequences of that aggression because of procrastination and equivocation by the Government of Iraq, whose aim is to evade implementation of the basic commitments set forth in the relevant Security Council resolutions.

The most important of these commitments, which represent the primary demands by Kuwait vis-à-vis Iraq, are as follows: the first is the question of Kuwaiti and third country prisoners and hostages. This humanitarian issue, which embodies the suffering of hundreds of families who do not know their children's fate, has seen no progress due to lack of cooperation on Iraq's part in the implementation of Security Council resolutions 686 (1991), 687 (1991) and 1284 (1999), all of which, among other things, call upon Iraq to cooperate with the International Committee of the Red Cross (ICRC) and the high-level Coordinator, Ambassador Yuli Vorontsov, who was appointed by the Secretary-General to facilitate the return of these prisoners and hostages.

It is clear that the Government of Iraq is indifferent to the humanitarian dimension of this issue, because it refuses to resume its participation in the meetings of the tripartite committee and its technical subcommittee, whose meetings it boycotted in January 1998 on the basis of unjustifiable political pretexts despite the humanitarian suffering of those innocent prisoners, their families and loved ones.

Indeed, that attitude does not contribute to the creation of an atmosphere of confidence and serenity among the people of Kuwait. Furthermore, the Government of Iraq has not responded to the repeated calls made in the Secretary-General's periodic reports on this issue, which also urge it to continue cooperating with the International Committee of the Red Cross and Ambassador Yuli Vorontsov. Kuwait believes that Iraqi disregard for the statements given in this context by the President of the Security Council to the press, supporting the remarks of the Secretary-General and

lauding the sincere efforts of Ambassador Vorontsov, is further evidence of the fact that it is still bent on creating and maintaining high tensions in our region.

In this regard, we call on the Security Council and the international community to redouble their efforts to convince the Government of Iraq to be more forthcoming and positive in addressing this issue and to resolve the entire matter on humanitarian, religious and moral grounds and in conformity with relevant Security Council resolutions.

We can safely say in all objectivity that there is a firm international consensus, both among members of the Security Council and within the entire community of nations, on the long-standing tragedy of those innocent victims and that the Government of Iraq is responsible for their continued suffering and for restoring stolen Kuwaiti property. The record of the Government of Iraq in dealing with this issue does not essentially differ from its record in dealing with other issues.

The statement issued to the press by the President of the Security Council on Wednesday, 20 June 2001, regarding the question of the return of stolen property is yet another indictment of Iraq and proves that Iraq is in full compliance neither with paragraph 2 of resolution 686 (1991) nor with resolution 1284 (1999). In that statement, the Council expressed its full support for the efforts of Ambassador Vorontsov and endorsed the Secretary-General's report contained in document S/2001/582. It calls on the Government of Iraq to cooperate fully with the high-level Coordinator in order to resolve the matters pending in this file and to restore all property seized, especially the national archives and other official Kuwaiti documents, as well as Kuwaiti military equipment. Kuwait hopes that the Security Council will continue to pay adequate attention to this important question beyond issuing repeated statements, which fall on deaf ears in Baghdad.

Thirdly, Kuwait has often drawn the attention of the Security Council and the Secretary-General to the non-peaceful intentions of the Iraqi Government towards the State of Kuwait and other countries of the region. Those intentions have taken the form of repeated threats to the security and sovereignty of the State of Kuwait. These threats have been made by ranking officials in the Government of Iraq, such as one by Uday Saddam Hussein, member of the Iraqi National Assembly, who called for drawing up a map of Iraq that includes Kuwait as part of that country. Moreover, Iraq has alleged that Kuwait is stealing Iraqi oil in the border region.

Such charges are taken very seriously and carefully assessed in Kuwait. We cannot in any circumstances accept these as statements for domestic consumption only, as some claim them to be, because the security and stability of States are not consumer commodities. Similar accusations were levelled by the Government of Iraq as pretexts for its invasion of the State of Kuwait in August 1990. That is why, in its letter to the Secretary-General and the President of the Security Council, contained in document S/2001/412, Kuwait declared its readiness to cooperate with any impartial body the Security Council may see fit to establish to investigate these Iraqi accusations, which we are fully confident have no basis in truth.

The States of the Arabian Gulf cannot forget what really happened because they had never imagined that it could ever come to pass. Furthermore, the Iraqi political and informational language addressed to the Iraqi people and to neighbouring States in no way helps to reassure us that the catastrophe will never recur or that the Government of Iraq has learned anything from past experience, abandoned its dreams or changed its approach in dealing with its neighbours.

One reason for concern is that this Iraqi policy seeks to create tension and to destabilize the entire region. Instead of responding to the repeated calls of regional and international organizations that it take the necessary steps to demonstrate its peaceful intentions towards the State of Kuwait and other neighbouring countries and that it change its political and informational language with a view to establishing an atmosphere of confidence, Iraq — at the Arab summit held in Jordan last March — rejected the inclusion of a paragraph in the final declaration renewing its commitment to guaranteeing the security and sovereignty of the State of Kuwait. This position was the source of consternation among the Arab leaders and destroyed the consensus on the declaration, although the text reflected all of Iraq's demands, including that for the lifting of the sanctions against it. Thus, no statement regarding the lifting of the sanctions was issued by the Arab Summit because of Iraq's refusal to include such a paragraph. Iraq's position prompted many Arab leaders to assert that it had squandered an opportunity to achieve an unprecedented consensus

among them on the need to call for an end to the sanctions.

In closing, Iraq's implementation of all relevant Security Council resolutions is the primary guarantee of the security and stability of our region. Without Iraq's full compliance with those resolutions, this vital region of the world will remain in a state of constant tension. Had Iraq implemented its commitments under resolution 1284 (1999), adopted some 18 months ago, in all probability the sanctions would have been suspended, if not lifted, as has happened to other States subject to a sanctions regime.

Therefore, we call upon this Council to continue its efforts with a collective will and to affirm its unity in its vision and approach. The Council should send a clear, unmistakable message to the Government of Iraq that the Security Council is acting on the basis of its political and legal responsibilities in order to urge that Government to fulfil its obligations.

In this way, Iraq will be able to regain its natural status as an active regional and international member. This would allow the fraternal people of Iraq to make full use of the bounties and resources conferred upon them by God and to enjoy a good life, with the same wealth and potential as the people of all other States of the region.

Our last prayer is to praise our Lord.

The President: I thank the representative of Kuwait for his kind words addressed to me and my country.

The next speaker is the representative of Jordan. I invite him to take a seat at the Council table and to make his statement.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan) (*spoke in Arabic*): Please allow me to warmly congratulate you, Sir, and your friendly country, Bangladesh, on your assumption of the presidency of the Security Council for the current month. I am confident that with your experience and skill the proceedings of the Council will be successfully guided.

I would also like to express my gratitude to your predecessor, Ambassador James Cunningham of the United States, for his impressive stewardship of the Council during the month of May.

It would be remiss of me not to mention Jordan's deep appreciation to Secretary-General Kofi Annan for his tireless efforts, prudent leadership and extraordinary sense of purpose, and for his pursuit of the purposes and principles of the United Nations in order to attain international peace and security.

Today we are discussing the agenda item entitled "The situation between Iraq and Kuwait", and our deliberations take place 10 years after the eruption of the Gulf crisis that was triggered by Iraq invading the State of Kuwait.

Our entire region is still suffering from the severe repercussions of that crisis. Iraq continues to pay a hefty price as a consequence of the comprehensive sanctions imposed upon it that will have an impact on future generations of the Iraqi population in terms of their food, livelihood, health and prospects for economic growth and development. The result is an unprecedented case of civilian suffering.

Jordan has consistently called for an end to the plight and suffering of Iraq and its people. This type of collective punishment, the most severe in the history of the United Nations, did not achieve its declared purposes of consolidating peace and security. On the contrary, those sanctions created conditions that in the long run may endanger the future of the whole region.

Jordan is one of the countries that continue to endure dire economic consequences as a result of its adherence to the relevant Security Council resolutions. Large segments of our economy, including land, maritime and air transportation, manufacturing, agriculture, and labour, continue to incur substantial losses. This, in itself, should prompt work to eliminate the adverse impact on Jordan of the sanctions imposed on Iraq.

My delegation is aware that the Council is currently engaged in consultations aimed at reviewing the policies and modus operandi of the oil-for-food programme that was initiated in 1996 on the basis of the Memorandum of Understanding signed with Iraq to implement Security Council resolution 986 (1995). However, we would like to draw the attention of the members of the Council to the fact that any revised policies elaborated should be viable. They should be implementable and should enjoy the agreement of all concerned, including Iraq, especially given that these policies are based on prior understandings among all parties.

In this context, we would like to emphasize that the parameters for improving the humanitarian conditions in Iraq must prevail over all other considerations. Furthermore, a clear line must be drawn between the policies governing the modus operandi of the oil-for-food programme and the process of calling for the implementation of all relevant Security Council resolutions.

It must be stressed that the Council itself must bear the consequences of any preventive collective measures, as is clearly provided for in Articles 49 and 50 of the Charter, as well as the legal implications thereof. This is all the more so in view of the extremely sensitive circumstances prevailing in the region as a result of the stalling peace process and the spiralling cycle of violence.

Hence, we believe that the Council should carefully and thoroughly examine the implications of any actions to be taken on Jordan and the region, and should act according to its sense of responsibility under the Charter.

In this context my Government has submitted a memorandum to the Secretary-General of the United Nations illustrating the gigantic repercussions that would face Jordan and its economy if the existing agreements governing all aspects of economic relations between it and its primary trade partner, Iraq, are interrupted. These include Jordan's import of all its oil needs from Iraq. Jordan notified the Council of this matter in 1990.

The call for the faithful implementation of relevant Security Council resolutions should respect the preservation of Iraq's unity, sovereignty and territorial integrity and should refrain from any actions that may infringe on these principles. We believe that the only way out of the current crisis lies in the lifting of sanctions imposed against Iraq by the Council, thereby extricating Iraq from this dilemma, and by reviving a comprehensive dialogue between Baghdad and the United Nations in order to settle all the outstanding issues that emanate from Iraq's invasion of Kuwait, including those relating to Kuwaiti and third country prisoners and missing persons, and the maintenance and security of the sovereignty of both Kuwait and Iraq.

The President: I thank the representative of Jordan for his kind words addressed to me and my country.

The next speaker inscribed on my list is the representative of Saudi Arabia. I invite him to take a seat at the Council table and to make his statement.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): Mr. President, allow me, as my predecessors have done, to congratulate you and your brotherly country on assuming the presidency of the Security Council for the current month. I am confident that your experience and wisdom will successfully guide the deliberations of the Council. We would also like to thank your predecessor, Mr. Cunningham, the deputy representative of the United States, for his outstanding steering of the deliberations of the Council last month.

The Security Council is meeting today to discuss the situation between Iraq and Kuwait and to look into ways of improving the humanitarian situation in Iraq, as well as of implementing all Security Council resolutions related to Iraq and of settling of the situation in the wake of the conflict that beset the Gulf region, as mentioned in document S/2001/597 dated 18 June 2001.

It is no secret to you, Mr. President, or to the members of the Security Council, or to the whole membership of the United Nations, that the Kingdom of Saudi Arabia spares no effort in consolidating security and stability in the Gulf region and in establishing an environment conducive to economic development and fruitful cooperation between neighbouring countries. This is why our relations with all countries are based on good mutual relations, on the principle of non-intervention in the internal affairs of others, and on the peaceful settlement of conflicts. The Kingdom of Saudi Arabia deeply believes in the brotherly bonds binding Arab countries and in humanitarian principles, and is truly keen on achieving and guaranteeing the security and stability of the region through good neighbourly relations and respect of the Security Council resolutions.

This is precisely why we have taken the initiative in proposing a settlement for the situation in Iraq. The Saudi initiative was that of the Committee of Arab Action emanating from the consultative ministerial meeting of the Arab foreign ministers held in Cairo on 28 January 1999 to put an end to the suffering of the Iraqi people. In that meeting, we called for a re-examination of the sanctions regime. We also called for an overhaul of this regime to put an end to the suffering of the Iraqi people by enabling Iraq to import

all its basic humanitarian needs, medical supplies, foodstuffs and educational material, without requiring the prior consent of the Council. This would enable Iraq to provide for its basic livelihood in a dignified fashion and would start the necessary economic development process.

On the other hand, Iraq is required to fulfil all its international financial obligations, such as reparations, as well as payments for costs incurred due to the constant monitoring of banned weapons in Iraq. Sanctions should be restricted to the acquisition of arms, military equipment and dual-use materials as stipulated in relevant Security Council resolutions, especially the resolutions relating to the elimination of weapons of mass destruction, be they nuclear, chemical or biological, and of any other military potential that might endanger the sovereignty, safety, security and stability of neighbouring countries. This requires an effective long-term monitoring programme based on a number of checks and balances defined by credible, efficient and neutral international monitoring agencies. This would guarantee the fulfilment of the task in an efficient, impartial manner. The end result of the activity would be the alleviation of the suffering of the Iraqi people and the assurance that revenues would not be used for any other illicit purposes.

Our initiative has highlighted the necessity for Iraq to fully abide by its obligations regarding Kuwaiti and non-Kuwaiti prisoners of war and missing persons, as is mentioned in relevant Security Council resolutions, especially in paragraph 30 of resolution 687 (1991).

Our initiative aims at putting an end to the suffering of the brotherly Iraqi people and to guaranteeing the security, safety and stability of neighbouring countries. Furthermore, our initiative was adopted by the League of Arab States and was rejected by Iraq. Iraq has also rejected the Arab initiative agreed to by the Arab leaders during the Amman Summit, held on 27 and 28 March 2001. It has become abundantly clear to the international community that the continuation of the international sanctions imposed on Iraq is due to policies adopted by the Iraqi Government, such as the non-implementation of some of the major aspects of relevant Security Council resolutions.

The Kingdom of Saudi Arabia feels empathy with the suffering of the brotherly Iraqi people and wishes to highlight its support for putting an end to their suffering, for enabling Iraq to obtain the necessary materials to achieve this goal and for lessening the constraints on civil trade, all in conformity with the resolutions of the Security Council and without affecting the security and safety of neighbouring countries.

We wish also to stress that Iraq must prove its good intentions with concrete actions, and must refrain from provocative or aggressive action towards Kuwait or other neighbouring countries, by the terms of resolution 949 (1994). Strict Iraqi compliance with and implementation of relevant Security Council resolutions on the situation between Iraq and Kuwait and full cooperation with the United Nations and its agencies constitute the best way to resolve this crisis, to build confidence and to restore security and stability, thus paving the way for cooperation to the benefit of the countries of the region.

Here again, I want to reaffirm that we wish to preserve the unity, sovereignty and territorial integrity of Iraq, and that we look forward to Iraq's return to the fold of the international community, once it has implemented the Council's resolutions, as a responsible member playing a constructive role in the international arena through the efforts of its able and dynamic people.

The President: I thank the representative of Saudi Arabia for the kind words he addressed to me and to my country.

The next speaker is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I thank you, Mr. President, for the manner in which you are handling this meeting.

I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta, as well as the European Free Trade Association country member of the European Economic Area Iceland, align themselves with this statement.

The European Union remains committed to the full implementation of all Security Council resolutions pertaining to Iraq. In particular, the European Union

calls for the implementation of all the provisions of resolutions 687 (1991) and 1284 (1999). Those resolutions specify the obligations of Iraq in several areas, including weapons of mass destruction, and define the way to suspension and lifting of the prohibitions imposed by the Council. There can be no doubt that the key to suspension and lifting of sanctions lies in the hands of the Government of Iraq.

The European Union looks forward to the future reintegration of Iraq into the international community and to a more prosperous and dignified life for the Iraqi civilian population. We reiterate that Iraq must fully comply with its obligations as provided for in the relevant Security Council resolutions, and we call on the Government of Iraq to cooperate to that end. The European Union also welcomes the dialogue between the Secretary-General and the Government of Iraq.

The European Union regrets that, as a result of Iraq's failure to fulfil its international obligations, the conditions do not exist which would enable the Council to lift the prohibitions imposed under resolution 687 (1991). The European Union urges Iraq to cooperate with the United Nations in all respects, and reiterates the demand that Iraq allow the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency to undertake the responsibilities mandated by the Security Council and to enable them to initiate their work in Iraq as soon as possible.

Until the fulfilment by Iraq of the relevant Security Council resolutions, there is a clear need, as a temporary measure, to provide for the civilian needs of the Iraqi people. The European Union has strong sympathy for the fate of the Iraqi population, and remains the largest contributor of humanitarian aid and assistance to Iraq.

The European Union notes that, though not meant to meet all the needs of the Iraqi people, the United Nations humanitarian programme, as reported by the Secretary-General on 18 May (S/2001/505), has contributed not only to arresting the decline in the living conditions of the average Iraqi, but also to improving them. Important measures have also been taken lately, including in resolutions 1284 (1999), 1302 (2000) and 1330 (2000), to further improve the implementation of the oil-for-food programme. However, the humanitarian situation in Iraq remains alarming, calling for ambitious measures aimed at alleviating the suffering among the population. In particular, measures to stimulate normal activity in the civilian sectors of the Iraqi economy are vital.

Lasting security and stability in the region, as well as the living conditions of the Iraqi population, are the prime considerations that must guide the Security Council's actions. In that regard, the European Union welcomes the unanimous adoption of resolution 1352 (2001) on 1 June 2001. We find particularly important the commitment by the whole Security Council membership to consider new arrangements for the supply of commodities and products to Iraq and for the facilitation of civilian trade and economic cooperation with Iraq in civilian sectors. The two principles outlined there have full European Union support: that such a system should, first, improve the flow of commodities and products to Iraq, with the exception of those covered under resolution 687 (1991) and those included in the so-called goods review list, and, secondly, improve the controls to prevent the sale or supply of items prohibited and unauthorized by the Council and to prevent the flow of revenues to Iraq outside the escrow account. The European Union hopes that this new system will enhance transparency and allow Iraq to import the full range of civilian goods with the minimum of restrictions necessary to ensure that military-related items are not exported to Iraq.

The European Union welcomes the intention by the Security Council to adopt and implement such arrangements for a period beginning on 4 July. We strongly support the ongoing deliberations within the Council with the purpose of alleviating the predicament of the Iraqi civilian population. We encourage the Security Council to adopt, in accordance with resolution 1352 (2001), a decision on the new arrangements as soon as possible.

The President: The next speaker is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): Allow me, Sir, to congratulate you formally on your assumption of the presidency of the Council for this month, and to pay tribute to Ambassador Cunningham of the United States for his able stewardship of the Council last month.

My delegation expresses its appreciation to you, Mr. President, for convening this important and timely meeting. Our appreciation goes also to the Russian

Federation for initiating the request for a meeting on this subject, and to the other members of the Council for their support. We are encouraged that the Security Council is supportive of an open debate on one of the Council's most challenging issues: how to mitigate the humanitarian crisis in Iraq and move forward on the issue of disarmament. We believe that today's meeting will provide the Council with important feedback on this issue from the general membership of the United Nations.

In an earlier commentary on the humanitarian situation in Iraq, the Secretary-General had described the situation there as one that was posing "a serious moral dilemma" for the United Nations. He remarked that as a matter of principle, the Organization had always been on the side of the vulnerable and weak, focusing its efforts to relieve suffering, but in the case of the Iraqi situation, the United Nations was accused of promoting the suffering of an entire population. His lament remains as poignant today as it was then.

The United Nations will be hard pressed to defend itself against this charge in the face of substantive cumulative evidence — much of it gathered by its own agencies — that comprehensive sanctions against Iraq have resulted in the severe suffering of innocent civilians and caused profound socio-economic dislocations. The fact remains that a decade of the most comprehensive and punitive sanctions ever imposed on a society has decimated Iraq as a modern State, effectively forcing that country's economy back to a pre-industrial age and making it ever so dependent on the United Nations humanitarian programme for basic survival. That is beyond dispute.

It is time for the Council to muster the political will to move beyond its current approach in dealing with the situation. We do not believe that the Council's efforts for disarmament in respect of Iraq, which in fact have made significant progress, should continue to be linked to a policy of comprehensive sanctions that have resulted in the loss of lives and untold suffering for the Iraqi people. We do not believe the situation today justifies the continuation of these comprehensive sanctions.

After more than a decade of debilitating sanctions, the time has come for the international community and the Council to take a new and more balanced approach, one that would address the legitimate security concerns of the countries in the region, but would also spare the people of Iraq further collective punishment. If this Council is indeed serious in its intention to alleviate the suffering of the Iraqi people, this new approach should not link progress and disarmament with efforts to alleviate the humanitarian suffering.

It has long been our view that incremental improvements within the framework of the sanctions regime will not mitigate the impact of sanctions in any significant way. Based on our own direct observation of the situation on the ground, including the observation made by the recent humanitarian delegation from Malaysia to Iraq, the so-called humanitarian improvements against the background of a weakened physical, health, medical, water and sanitation infrastructure, due to the numerous holds, have failed miserably. This has reinforced our conviction that the oil-for-food programme will not be able to adequately mitigate the effects of the sanctions.

The issue of the moral dilemma alluded to by the Secretary-General is very pertinent to the question of violations of human rights and humanitarian law. Paragraph 109 of the Bossuyt report, entitled "The adverse consequences of economic sanctions on the enjoyment of human rights", issued by the Commission on Human Rights in document E/CN.4/Sub.2/2000/33, of 21 June 2000, states:

> "Sanctions regimes that clearly violate international law, especially human rights and humanitarian law, need not be respected. This is especially true when the imposers are clearly on notice of those violations and have undertaken no effective modification. Sanctions are now imposed with no consideration whatsoever of their legal status. In these situations, the humanitarian tragedy must be viewed as constituting an 'override' to an unduly harsh economic sanctions regime — analogous to the doctrine of *force majeur*. And, as already set out, the degree of public outcry is a factor in determining whether a sanctions regime is too harsh."

Perhaps the most important implication of international law for the issue of sanctions from the perspective of human rights and humanitarian law is that the right to impose sanctions is not unlimited. The rights of the civilian population must be protected to the maximum extent possible through the provisions of

the essentials for survival. Even with this modest objective, the ability of the oil-for-food programme to deliver is being seriously questioned. We are not even talking about the higher-level needs of civil society, which also constitute a right of every individual.

We cannot in any serious discussion of the situation in Iraq be oblivious to the ongoing operations in the so-called no-fly zones. Malaysia has consistently challenged the purpose and the legality of such operations. Due to the low level and limited nature of the operations, the bombing of Iraqi targets remains as background noise in the general effort to confront or contain Iraq. The tendency of the international community has been to generally ignore these events as if they were routine operations, even when civilian casualties — the so-called collateral damage — are involved.

Clearly the continuation of these illegal operations is not conducive to a constructive dialogue between the United Nations and Iraq, which is so necessary at this stage. Indeed, these illegal and provocative operations will only complicate any effort towards dialogue and engagement with Iraq, such as the one initiated by the Secretary-General, for which we commend him and strongly encourage him to continue. Only dialogue and engagement will move the process forward, not continued isolation and containment, which will punish the long-suffering people of Iraq even further.

In the light of the continuing suffering of the Iraqi people, there has been increasing outcry among civil societies in a number of countries against the continuing sanctions and a more discernible manifestation of international solidarity with the people of Iraq. The dispatch of some 132 humanitarian flights to Iraq since November last year is a clear and undeniable reflection of this rising concern and solidarity with the people of Iraq. In working out its approach on Iraq, the Council should not turn a blind eye to this clear manifestation of international public sentiment on the situation in Iraq.

While Malaysia is concerned about the plight of the Iraqi people living under sanctions, it has never failed to also add its voice to the call by the international community for an early resolution of the issue of more than 600 Kuwaiti missing persons, as well as those from third countries. We consider it a grave humanitarian issue that needs to be addressed and more vigorously pursued. We reiterate our call on Iraq to fulfil all its international obligations and resume participation in the Tripartite Commission and the Technical Subcommittee. Not less important is the need to facilitate the return of Kuwait's national archives and other property that was taken out of Kuwait. These are important issues that should not be relegated to the back burner of Council deliberations. The existence of complete consensus in the Security Council on these two humanitarian issues should provide a strong basis for their early resolution.

The President: There are a number of speakers — as I just mentioned, about 20 — on my list. In view of the lateness of the hour and with the concurrence of the members of the Council, I intend to suspend the meeting until the afternoon of Thursday, 28 June. The exact time will be announced in the *Journal*.

The meeting was suspended at 7.30 p.m.